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Document Title: Will of William Sample, d 1682/3 in Delaware

Source: *The Sparks Quarterly*, Vol. XLVIII, NO. 4, Dec. 2000, Whole No. 192, pp. 5445-6, citing records from the Court of New Castle, Delaware, meeting 1 January 1683.



Photo: Mary Ann Simmons Williams (1840 Mississippi - 1925 Texas), daughter of Edy Arminda Sparks Simmons and The Rev. James H. Simmons Sr. Edy Sparks Simmons (1810- 1897) was the daughter of William Sparks (1761-1848) and granddaughter of Matthew Sparks (c1735-1793), who was killed by Indians in Georgia. This photo was taken on Mary Ann's 80th birthday. and was sent to me by Pat Williams.

William Sample, d 1682/3 in New Castle, Delaware, was the father of **Margaret Sample Sparks**, wife of William Sparks, b ca 1674 and the grandfather of **William Sample Sparks**. Thanks to research by *The Sparks Quarterly*, we now can prove where William Sample Sparks got his middle name.

Court of New Castle, Delaware, meeting 1 January 1683, at which session "The laest [last] will and Testament of William Sempill, Late of New Castle, deceased", verbatim:

"In the Name of God amen this 11th day of december in the Yeare of o^r Lord God 1682. I: William Sempill, Inhabitant of New Castle upon delaware River being Sick and weake in Boddy but of perfect mind & memory thanks be Given unto God, Therefore calling unto minde the mortality of my Boddy and knowing that itt is appointed for all men once to dye, Doe make and ordayne this my Lasest will and Testament in manner and forme following That is to say first and Principally I: give my Soule into the Hands of God who Gave itt mee and for my boddy I" commend itt to the Earth, to bee burried in decent Christian manner, noteing butt att the Gennerr^{ll}: Resurrection I: shall Receive the same againe by the mighty power of God, And as touching Such worldly goods as itt hath bin pleased God to bless me in this Lyfe tyme wth I: Give devyse bequeath and dispose the Same in manner & forme following Vizt: First I: give, devyse and bequeath unto my dearly beloved wyfe **Josyn Sempill** and my Little daughter **Margaret wth** : **Rest of my wifes Children** all my p[']sonall Estate as goods and Chattles & moveables to be Equally divyded and distributed to my wyfe and daughter Margret and the rest

of my wyves Children to use, occupy and dispose of as Shee my said syfe Shall See necessary and Conveniety for the use of my s^d: wyfe and daughter Margaret and my wyves Children, only excepted I: doe devyse and bequeath and Give unto my Little daughter Margaret all my Estate in Christina Creeke or upon a brainch of the said Creeke boath Reall & personall moveables and imovables, goods and Chattles wth: all the Increase to the Soale and proper use and behoffe of shee my said dauter Margaret itt being my will that first of all my wyfe Josyn Sempill puts on and upon the Plantation in Christina or brainch of the s^d: Creeke for the use of my daughter Margaret Soe many Cowes, Soves and other Chattell and What Els I: am allready obliged to put upon the afores^d: Plantation all being for the Soale and proper use and behoofe of mydaughter Margret, until Shee Marryeth or Comes of age, the Increase to be att the disposal of my wyfe Soe Long as She remains a widdow provyded Shee my wyfe Keepes the old Stoke good, and inthe next place, if itt please God to call mee out of this world I: doe ordaine Constitute and appoint my beloved friends M^r. James Walliam & Samuel Land of the Towne of New Castle, to bee Executo^{rs}: of what worldly Estate I shall Leave behind mee, and to use the best of their Indeavors for the bennefitt of my wyfe, my daughter Margret and my wyves Children, with all that my wyfe Josyn Sempill pay all Just debts due from me, to others, and that Shee Receive all debts due from others to mee, and I: doe hereby utterly disallow Revoake & Annull all and Every other former Testaments, wills, Legacies, bequeaths, Executo^{rs}: By me in any wise before this type named, willed, or bequeathed, Ratifying and Confirming this and none other to bee by Laest [last] will & Testament in wittnesse whereof I haue hereunto Sett my hand & Seale the day & Yeare above written--

"[signed] Will: Sempell (LS)

"Signed Sealed published pronounced, declared by
the sd: William Sempill as his Laest will & Testament
In the Presence of us --
J. D'haes [Johannes DeHaes]
Jan Bick" [John Bisk]

Note: p. 5446: "In this will, a symbol from Old English and Old Norse, the runic character called the "thorn," was used for the letters th, as in the, this, etc. The symbol resembles the letter y, . . . this writer prefers to substitute the letters "th" to retain the pronunciation that the original writer intended."

"The Court records indicates that when this will was presented to the Court for probate, William Sample's widow, Josine, made the claim that her husband had intended that she administer his estate, and that James Walliam and Samuel Land should 'bee understood only as overseers & assistants to the widdow in the performand of her husbands will.' Josine must have been a strong and bold woman for her day, for the justices accepted her argument." (*The Sparks Quarterly*, *ibid*, p. 5447).

Information About William Sample and His Family

William Sample came from England and is believed to have arrived in Maryland in February 1653/4. He first appears in Maryland records in January 1653/4 when he "Demandeth Fifty acres of land for Transporting himself into this province about February last." He perhaps went from Calvert Co., Maryland to Delaware after 1660, while it was still under Dutch rule. He first appears in English Court records of New Castle Co., DE on 4 April 1677. He was a prominent citizen of New Castle Co. He was a justice of the peace and served as magistrate on the County Court from 17 July 1678 until his death in 1682/3. (*The Sparks Quarterly*, *ibid*, p. 5448-9).

His wife, Josine, was of Dutch origin. "As Sample's wife, she shared her husband's English status, but as his widow, she was no longer considered an English citizen. . . . [O]n February

21, 1682/3, two months following her husband's death, Josine was one of 71 inhabitants of New Castle County who signed a petition expressing their 'desire to be Naturalized.' Her name appeared thereon as 'Josyn Sempill.' " (*The Sparks Quarterly*, *ibid*, p. 5455)

William Sample owned the following land at the time of his death:

- 600 acres, "The Vinyard," in St. Johns County (later Kent Co.), Maryland
 - 400 acres, on a branch of Christina Creek, New Castle Co., Maryland
 - town lot, New Castle, Delaware
- (*The Sparks Quarterly*, *ibid*, p. 5455)

Josine's maiden name was Boyer/Boeyer. She married: first, John Marshall; second, William Sample, and third, William Hamilton. Only one of her children from her first marriage can be identified, Cataline Marshall, wife of Jonas Wright. (*The Sparks Quarterly*, *ibid*, p. 5456).

Her daughter, **Margaret Sample** was probably born about 1676. She was living in 1710, but died by 1730 when her husband's name was Ann. Margaret married **William Sparks (Jr.)** about 1694/5. He was in Kent Co., Maryland by 1696 and Queen Annes County, Maryland by 1710. William Sparks (Jr.) and Margaret Sample Sparks were the parents of:

William Sample Sparks, b ca 1700 MD. He lived in Frederick Co., Maryland and moved to Rowan Co., North Carolina about 1754. He had four known sons and one daughter and two or three wives. I descend from his second son, Matthew Sparks, d 1793, during an Indian raid in Franklin Co. (later Clarke Co.), Georgia. (*The Sparks Quarterly*, *ibid*, p. 5457-5460).

The Sparks Family Association published *The Sparks Quarterly* for fifty years, with Dr. Russell E. Bidlack as editor. Dr. Bidlack passed away in September 2003, and the last issue (volume 50, whole number 200) was published in December 2003. *The Sparks Quarterly* is the best family quarterly I have ever seen. It is available in many libraries. The Sparks Family Association also has a website at: www.sparksquarterly.net. There is a small user fee for accessing all of the issues of *The Sparks Quarterly*.