



FOUNDING FEMALES Female Qualifying Ancestor Index

Female Ancestor Number: 145

Name: Smith, Joanna ()

Dates: (c. 1614 - 1687)

Colonial Society: CT

Date added to ROA: June 15, 2024

Service: Surgeon ("Chyrurgeon")

Authority: Smith, H. Allen, *Genealogical History of the Descendants of the Rev. Nehemiah Smith of New London County, Conn. With Mention of His Brother John and Nephew Edward*, New York, Joel Munsell's Sons Pub., 1889, pps 28, 30, 45-46.

Biography:

As with many women of the Colonial Era, little is known about Joanna Smith's early life. Born around 1614, her maiden name, parents, and details of her first marriage remain lost to time. What is known, however, is that by around 1640, she had married her second husband, John Smith. According to *The Allen H. Smith Book*, John met Joanna as a widow with a daughter named Elizabeth.

The story of Joanna takes a particularly compelling turn through the legal documents she left behind—specifically, the contested wills of her husband. In September 1679, John Smith drafted a will granting Joanna a life lease to his entire estate. Upon her death, his will directed that several lots of land and a house would pass to her grandson, Thomas Way, while the remaining property would go to his nephew, John, son of Edward Smith. But that will was never signed.

In April 1680, John drew up a new, legally binding will—this time leaving the bulk of his estate solely to Joanna. What followed was a legal battle that reveals much more about Joanna than most colonial records ever would.

Edward Smith, feeling disinherited, contested the revised will. On October 14, 1681, Joanna—represented by her attorney, William Pitkin—defended her claim before the court. Pitkin emphasized that the new will had already been approved and that John Smith was well aware of "Edward's deserts." More importantly, Joanna herself spoke powerfully in her own defense citing the 38th Statue of King Henry 8th that enabled Englishmen to make their Wills and thereby dispose of their estates, destroying only those made under the age of 21 or if the testator is not of sound memory.

She insisted she was more than a passive widow: "I stand as a third person distinct from my deceased husband and Edward Smith, with a lawful conveyance of a part of my husband's estate in my hand which cannot be void by all those former acts which they pretend to be my husband's." She reminded the court



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that she had brought property into the marriage and had actively contributed to the building of the estate.