

WILL

May 22, 1859

OF

JAMES S. SEGUINE.

Book 1, page 12, &c.

IN THE NAME OF GOD, AMEN:

I, James S. Seguire of the County of Norfolk in the State of Virginia, but now sojourning in the Town of Westfield, County of Richmond and State of New York, do publish, pronounce and declare this as and for my last will and testament, viz:

FIRST, I HEREBY NOMINATE, CONSTITUTE and APPOINT my brother Henry S. Seguire and my friend Abraham H. Wood, both of the County of Richmond and State of New York, Executors of this my last will and testament and it is my will and desire that they be permitted to act as such Executors without being required to give security either in the State of Virginia or elsewhere.

SECOND, I GIVE AND BEQUEATH to my sister Catharine Guyon a legacy or annuity of five hundred dollars a year during her natural life, to be paid her by my Executors in semi-annual payments dating from my death.

THIRD, I GIVE AND BEQUEATH to my nephew Joseph G. Seguire a legacy of One thousand dollars payable as soon after my death as sufficient funds for that purpose come into the hands of my Executors.

FOURTH, I GIVE AND DEVISE to my son James Henry Seguire during his natural life, for his use and occupation, but not to be assigned or disposed of by him the farm formerly owned by my deceased father situated on the Amboy Road in the town of Westfield, County of Richmond and State of New York, which I lately purchased at Referees sale, together with the twelve acres of land which I purchased of my brother Henry S. Seguire adjoining said farm and at his death I devise the same to his children in fee simple, if he leaves any him surviving and in failure of children then to his Grand Children, But if my said son leave no Children or Grant Children him surviving then I devise the said lands and premises after his death, to my brother Henry S. Seguire in fee simple. And that my son may have the full use and enjoyment of said premises I order and direct my Executors or the survivor of them, in their discretion, out of the proceeds of my other property, to expend in the erection of buildings and other improvements on said lands and premises and in farming implements and utensels therefor, a sum not to exceed four thousand dollars.

FIFTH, I GIVE AND BEQUEATH to my son James Henry Seguire an annual legacy or annuity of Seven hundred dollars to be paid him in semi-annual payments during his natural life, by my Executors, dating from my death.

SIXTH, I GIVE and BEQUEATH to my friend and Executor Abraham H. Wood a certain promisory note for One thousand dollars which I now hold against him together with all interest which may have accrued thereon at my death, and he is discharged from the payment thereof.

SEVENTH, I AUTHORIZE, EMPower and DIRECT my said Executors or the survivor of them to hire out my slaves in the State of New York.

Copy of
Will of
James
Seguire

12-15-13

Examined
verified
delivered
D.D. Neuh

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Cedar W
S.J. Barker

promissory note for One thousand dollars which I now hold against him together with all interest which may have accrued thereon at my death, and he is discharged from the payment thereof.

SEVENTH, I AUTHORIZE, EMPower and DIRECT my said Executors or the survivor of them to hire out my slaves in the State of Virginia and North Carolina, from time to time during the lives of such slaves, but not sell the same, and in the manner of carrying out this direction, they are to consult the welfare, comfort and happiness of such slaves. The proceeds of their hiring are to belong to my residuary legatee as hereinafter provided.

EIGHTH, I AUTHORIZE and DIRECT my Executors to invest on Bond and mortgage secured by Real Estate in the State of New York, and to keep invested in their names as Executors a principal sum sufficient to yield annually the several annuities above bequeathed to my son James Henry Seguire and to my sister Catharine Guyon and to pay over the income as above provided.

NINTH, I GIVE DEVISE AND BEQUEATH all the rest and residue of my real estate and personal property of every description including the principal sums above directed to be invested, after the payment of said annuities) to my brother Henry S. Seguire of the County of Richmond and State of New York, and to his, heirs and assigns forever.

IN WITNESS WHEREOF I have hereunto set my hand and seal to this my last will and testament the twenty second day of May in the year of our Lord one thousand eight hundred and fifty nine, hereby revoking and annulling all former wills and testaments.

JAMES S. SEGUIINE

(SEAL).

SIGNED, sealed, published, acknowledged and declared by the said James S. Seguire to be his last will and testament in our presence, who in his presence and at his request and in the presence of each other have subscribed our names thereto as attesting witnesses this 22d day of May, 1859.

B.P. WINANT, Rossville, Richmond County, N.Y.

D.A. EDGAR Rossville, Richmond County, N.Y.

LOT C. CLARK Port Richmond, Richmond County, N.Y.

AT THE CIRCUIT COURT OF NORFOLK COUNTY continued by adjournment and held on the 7th day of March, 1868.

The will of James S. Seguire late of this county bearing date on the 22d day of May in the year eighteen hundred and fifty nine was this day offered for probate by Henry S. Seguire and Abraham H. Wood the Executors therein named, and James H. Seguire the only child & heir at law of the said James S. Seguire and who has been summoned as a person interested in such probate, to appear here on this day to show cause why the said will should not be admitted to record, appeared by John H. Gayle his attorney in fact and declined to ask a Jury to ascertain whether the paper produced be the will of the decedent James S. Seguire;

WHEREUPON the Court proceeded to decide the question of probate without a Jury; AND B.P. WINANT and D. A. EDGAR two of the Witnesses to the said will weresworn and examined and the parties aforesaid by their Counsel fully heard

ON CONSIDERATION WHEREOF it is the opinion of the court that the said James S. Seguire decd. was at the time of executing the aforesaid will of sound mind; that he signed and ac-

knowned the said will as & for his last will and testament in the presence of the said B.P. Winant and D. A. Edgar and of Lot C. Clark, competent Witnesses present at the same time; that the said Witness subscribed the said will in the presence of the said James S. Seguire, and travelling in Europe.

AND the said will having been proved according to law as a will of personal & real estate by the testimony of the said two witnesses B. P. Winant and D. A. Edgar,

IT IS THEREFORE ORDERED that the said will of the said James S. Seguire, bearing date on the 22d day of May in the year Eighteen hundred & fifty nine and this day offered for probate as aforesaid, be admitted to record as a will both of personal and real estate, And on the motion of Abraham H. Wood one of the Executors therein named, Who made oath thereto and entered into and acknowledged a bond without security, as directed by the will, in the penalty of forty thousand dollars with condition according to law, which bond is ordered to be recorded, Certificate is granted him for obtaining a probate of the said will in due form: liberty being reserved to the other Executor named in the will to join in the probate when he shall think fit, the said other Executor consenting to the separate qualification of Executor of the said A. H. Wood.

Teste: G. F. Edwards, C. C.

KNOW ALL MEN BY THESE PRESENTS, that I Abraham H. Wood am held and firmly bound unto the Commonwealth of Virginia in the sum of Forty thousand dollars for the payment thereof, well and truly to be made to the said Commonwealth I bind myself, my heirs executors and administrators, jointly and severally, firmly by these presents. SEALED with my seal and dated this 7th day of March 1868 in the 92 year of the Commonwealth.

THE CONDITION of this obligation is, that if the said Abraham H. Wood who has this day qualified as Executor of the last will and testament of James S. Seguire decd. shall faithfully discharge the duties of his office of Executor as aforesaid, then this obligation to be void else to remain in full force.

A. H. WOOD

(SEAL).

ACKNOWLEDGED in presence of

A. W. Harvey, D. C.

AT A CIRCUIT COURT held for Norfolk County on the 7th day of March, 1868.

The foregoing bond was acknowledged by A. H. Wood the obligor thereto and ordered to be recorded.

KNOW ALL MEN BY THESE PRESENTS, that I Abraham H. Wood am held and firmly bound unto the Commonwealth of Virginia in the sum of Forty thousand dollars for the payment thereof, well and truly to be made to the said Commonwealth I bind myself, my heirs executors and administrators, jointly and severally, firmly by ~~these~~ presents. SEALED with my seal and dated this 7th day of March 1868 in the 92 year of the Commonwealth.

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A.H. WOOD

(SEAL).

ACKNOWLEDGED in presence of

A.W. Harvey, D.C.

AT A CIRCUIT COURT held for Norfolk County on the 7th day of March, 1868.

The foregoing bond was acknowledged by A.H. Wood the obligor thereto and ordered to be recorded.

TESTE: G.F. EDWARDS, C.C.

VIRGINIA: In the Clerk's Office of the Circuit Court of Norfolk County, to-wit:

I, Alvah H. Martin, Clerk of the Court aforesaid, do certify the foregoing to be a true copy of the Will of James S. Seguire, as recorded in Book 1, page 12, &c of this office.

Given under my hand this 29th day of November, 1911.

TESTE: ALVAH H. MARTIN, Clerk Circuit Court Norfolk County.

By Eugene V. Gresham, D.C.

VIRGINIA:

IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF NANSEMOND COUNTY THE 19TH DAY OF SEPTEMBER, 1913-This Will was presented, and, with the certificates annexed, admitted to record.

Teste:

G.E. Bunting, Clerk.