

In the name of God, eternal. This is the Testament and last will of me, Richard Stockton of the county of Somerset and State of New Jersey, Counsellor at Law.

1st I give to my beloved wife, Eliza, one thousand dollars, which are invested in the Savings Bank, in the City of New York, in her name, together with all the accumulations thereof, as the same shall be found at the time of my death, also, all the money I may have in the house or in deposit in any Bank at that time, and all my silver plate. Also, the carriage and horses in use at that time, one common wagon and gears, three cows and four hogs to be chosen by her, all liquors and meals, and other provisions in the house, all the grain, either in the ground or gathered— all the hay in the barn or stacks or barnyards to be used by her, and for the maintenance of the stock until it be sold— all the household and kitchen furniture which she may choose to keep— all my books, except my law library, and Encyclopedia. I also give unto my said wife the full use of the house now dwell in, with the ground in front, and the gardens, together with the four adjoining lots of land, that is to say, two lots now thrown into one to the East of the Mansion house bounded by the old road to Trenton, the road to Mr. Bayards, and the fence running from the corner of the old orchard near the quarry, to the garden fence, including the root house, and its yard, and two lots west of the house, to wit: the young orchard used as a hog pasture, and the lot fronting the same extending to the old Trenton road, together with all such parts of the out houses and barns, as she may have occasion to use— to hold the said real property during her natural life in full compensation of her dower in my real estate. I also give to my said wife my servants at the time of my death.

2nd I order and direct all the remainder of my goods and chattels, Stock and growing, utensils of every kind and description be sold as soon as may be by my Executors, and that after paying my debts the said Executors do pay the same over to my Trustees hereinafter named— and I give and bequeath all the rest of my personal estate of whatever kind or nature unto my friend Samuel Bayard, the elder, and to my son Robert B. Stockton jointly, and severally, and unto the survivor, upon this special trust, that they shall collect and call in, as soon as may be, all money which may be out on doubtful securities, and keep out at interest that part which they shall think is in safe hands— and shall invest all they collect in productive funds, and pay over the interest money on dividends, as they same shall arise from time to time, to my said wife during her widowhood for her own maintenance, and for the support or aid of any of my children in such manner, and in such proportions, as she in her discretion shall think proper— but the principal sum is not to be impaired or paid over but from time to time as it may be paid in, and as soon as may be again put out or re-invested in other funds— and upon the further trust, that after the determination of my wife's interest in the said fund, that the same be divided into four equal parts— and that each of my children interest from time to time of one fourth part unto my daughter, Julia Stockton— one fourth part unto my daughter, Caroline Rotch— one fourth part to my daughter, Julia— and the remaining fourth part unto my daughter, Annis Thompson, charging her also with the sum of fifteen hundred dollars on account of the lands settled upon her, which advances I also give to my said daughter Julia— and I further direct and will that the above bequests to my married daughters, including also my daughter, Julia, if she should be married be secured for their own separate use respectively, without being under the control, or liable for the debts of their husbands— and that their receipts are to continue during the joint lives of my said married daughters and their husbands respectively— and if they out live their husbands, then in trust for my said daughters respectively— and if they die before their husbands then to their children, if they have any, in equal shares, and if they die without leaving children or the representatives of children then in trust for my surviving daughters, in equal shares. I also will and direct that my said Trustees shall each be answerable only for his own act, and not for that of his companion.

3rd My will is, that my sister, Mrs. Abigail Field have the house and garden lot, which she now lives in, as long as she thinks proper to live in, and inhabit it— and afterwards I give the same to my daughter Annis, and her heirs forever—

4th I give and devise unto the said Trustees several lots or tracts of land, in the County of Oneida, in the State of New York, amounting in the whole, to about four thousand acres, and which have been laid for long times, and are free from all incumbrances, and which, from their being near to the Canals, will in time be very valuable upon the same trusts before expressed to them, and their heirs for the purposes of the said Trust. — And I also give and devise to the said Trustees, and their heirs the like trusts about one thousand acres of land which I own in three tracts in the counties of Lycoming or Bradford in the State of Pennsylvania.

5th I give and devise unto my son Robert B. Stockton, (subject to the provision I have made for my wife) the Mansion house farm and plantation ^{called} Chorries upon which I was born— have always lived and hope to die, consisting of about two hundred and seventy acres more or less, together with the western lot of meadow, Brook meadow, which I have occupied myself with the said farm, which lot contains about twenty-five acres, more or less, and extends up to the fence along the wood-land— to him, my said son and his heirs forever. I also give and confirm to my said son the two lots of land, on the north side of the Main Street of Princeton on which he has built, which I gave but have not yet formally conveyed to him— to hold to him and his heirs forever— and whereas, I am owner of one moiety or half part of two large tracts of land, one of forty and the other of twenty acres and acres, held unto the general Assembly of the Presbyterian Church in the County of Buncombe, in the State of North Carolina.

7th I give and devise unto my son William S. Stockton the farm now in the possession of Bazilla Ellis containing about two hundred and fifty acres more or less, with all the buildings, improvements, and appurtenances, and also the Eastern lot of Stony Brook Road as far up to the woodslands which has been for some years annexed to the said farm, containing about twelve acres more or less - and also the Blacksmiths house, shop, and lot, at the North east corner of said farm, and all the land up to the lots of Stadman, and the Seminary, to him and his heirs forever - and also, the rent of said farm and Blacksmith house and shop, which may be due for the year of my death - and if either of my said sons Samuel or William should die before he attains the age of thirty-five years, and without issue lawfully begotten, then I give the farm of the one so dying, to the one that shall survive, and his heirs forever, and if both of my said sons should die, then I give the Tusculum farm to my son Richard, and his heirs forever - and the farm devised to William to my son Robert and his heirs forever - they paying all the lawful debts of the son, whose farm they may take under this will. These legations do not include the land between the roads - nor the Blacksmiths lot - nor the lots between that and Stadman's, on the Turnpike, intended for building lots. - It is my further will, that my wife have the privilege of getting her fire wood, and such fencing as she may need from off the above farm, during the time she shall occupy the house - that she have pasturage for her cows and horses, and a sufficient of hay from the said farm, to be supplied by my son Robert, if she should at any time not have a sufficient supply from her own lots, and having full confidence in the prudence of my wife and in the affection she has for her children, my will is that she enjoy all the privileges and bequests given her herein before without impeachment of waste or liability to account. —

Sam'l J. Bayard

Robert F. Stockton and Samuel Bayard two of the Executors named in the within instrument, being duly sworn according to law, did severally depose and say that the within writing contains the last will and Testament of Richard Stockton, Esquire deceased, as far as they know and as they verily believe, and that they will well and truly perform and fulfill the same, by paying, first the debts of said deceased and then the legacies therein specified, so far as goods, chattels and credits can thereunto extend: and exhibit into the Surrogates office of the County of Somerset a true and perfect inventory of all and singular the goods, chattels and credits that shall or may come to their knowledge or possession, or possession of any other person or persons for their use whenever demanded.

Sworn at Somerset
April 17th 1825. before me

Samuel Bayard
R. F. Stockton

I W. Freeling Surrogate

State of New Jersey: I, James D. Westcott Register of the Prerogative office of the State of New Jersey, do hereby certify that the foregoing is a true copy of the last will and Testament of Richard Stockton Esq. late of the County of Somerset in said State, deceased, and also of the probate thereof as taken from an original compared with the original now remaining on file in my office.

In testimony whereof, I have hereunto set my hand and affixed my seal of office at the City of Trenton, in said State, this Eighteenth day of August A.D. one thousand eight hundred and thirty-eight (1838)
James D. Westcott.

State of New Jersey: I, William Pennington Governor and ordinary or Surrogate General of the State of New Jersey, do hereby certify that James D. Westcott Esq. who hath signed the annexed certificate, and whose official seal is thereto affixed, is Register of the Prerogative office of the State of New Jersey, duly appointed, commissioned, and sworn, and that full faith and credit are and ought to be given to his official attestations, and that said certificate is in due form of Law.

In testimony whereof, I have hereunto set my hand and caused the great Seal to be hereunto affixed, at the City of Trenton, in said State, this Eighteenth day of August in the year of our Lord, one thousand eight hundred and thirty-eight, and of the Independence of the United States the 63rd.

By the Governor

Wm. Pennington

James D. Westcott, Sec. of State
State of North Carolina

Buncombe County - February Term, 1840.

The foregoing will and Testament of Richard Stockton of the State of New Jersey, was offered in open Court and admitted to probate.

In the name of God, amen! I, Bedent Baird, of the State of North Carolina, and County of Buncombe, being of sound disposing mind and memory, and calling to mind the uncertainty of life, do on this fifteenth day of March, in the year of our Lord, one thousand eight hundred and thirty-three, make and publish, and declare my last will and Testament in manner following, that is to say:—

In the first place, it is my will and desire, that all such just debts as I may be owing at the time of my decease, be by my Executors hereinafter named, paid out of such part of my estate as is notherwise specifically devised.

2^{ndly} I give and bequeath unto my beloved wife, Mary Baird, in case she survive me, a decent and comfortable support to be derived from all my lands and tenements for and during the term of her natural life, and that the full and absolute right of all my household and kitchen furniture best in her, together with one horse, saddle and bridle, of good quality—and also that she have the full free, and unlimited control of my negroes Edward, Barney, Chelida, and Eliza, and their issue, during her natural life; after which it is my will and desire, that the said negroes, and such issue as they may have from this time forward, be equally and fairly divided between my sons Israel Baird and William R. Baird, share and share alike, except the said girl Eliza, who then with issue goes to the said Wm. R. Baird exclusively.

3^{rdly} I give and bequeath unto my son Israel Baird, my five tracts of land, situate, lying and being in the State and County aforesaid, on Beaver Dam Creek, and the waters thereof, including the place where he now lives, containing in all, Eight hundred acres, more or less, to have and to hold to him and his heirs forever, subject, nevertheless to a charge of five hundred dollars, to be paid by him, his heirs, executors or administrators, to his brother James M. Baird, so soon as he, the said James M. Baird shall have completed his studies, and obtained a diploma, or in a reasonable time thereafter. A good and sufficient voucher for the payment of the said sum of five hundred dollars to the said James M. Baird, according to this my will and desire shall be set to him, and his heirs or assigns forever, a good, pure, and absolute estate of inheritance in the said lands and tenements. I also give and bequeath unto my said son, Israel Baird, and his heirs, the following negroes, to wit: the man named Perry, one named Chingo, and one girl named Clara together with all and singular the issue of her the said girl Clara, which may be hereafter born, to have and to hold all and singular the said three negroes to him and his heirs forever.

4^{thly} I give and bequeath to my daughter Margaret R. Smith, and to her husband Samuel Smith, two several notes of land, which I now hold