

~~deceased~~ deceased, as they are not mentioned and given a legacy in my said last Will and Testament, is for their consideration - because during the life time of my said son David and my daughter Ann ~~and~~ ~~demanded~~ they received from me in value their full proportions of my estate.

And lastly, it is my desire that this my present codicil be annexed to and make a part of my last Will and Testament to all intents and purposes.

In Witness Whereof, I have hereunto set my hand and seal, the day and year first above written.

Signed, sealed, published and declared by the above named John Van Pelt as a codicil to be annexed to his last Will and Testament in the presence of

Daniel Post, Matthias Dehart, David Van Name

State of New York. } ss. Be it remembered that at a surrogate court held in and for the county of Richmond, at the house of Simon Van Name in the town of Northfield on the 10th day of November A. D. 1830 before Richard Crocheron Surrogate of said county, the last Will and Testament of John Van Pelt late of said county deceased was admitted to probate, after having been duly proved, (of which the proceedings and the said Will is herein before recorded) Whereupon it was ordered that letters Testamentary thereon be granted to Solomon Zeluff, Abraham Crocheron & Daniel Zeluff the Executors in the said Will named, after the expiration of thirty days from the time of taking the proof aforesaid, on their taking and subscribing the oath of office prescribed by law.

Be it also remembered that on the thirteenth day of December A. D. 1830 personally appeared before me Solomon Zeluff, Abraham Crocheron & Daniel Zeluff Executors in the aforesaid Will named, and were duly sworn to the faithful performance and execution thereof by taking the usual oath in such cases prescribed, whereupon letters Testamentary were duly issued to said Executors on the estate of said deceased. Richard Crocheron Surrogate

Record of the Will of John Egbert

State of New York } ss. Be it remembered, that a surrogate court held for the county of Richmond at the surrogate office in the Village of Richmond on the ninth day of December in the year of our Lord one thousand eight hundred and thirty in the matter of the Real and personal estate of John Egbert late of Castletown in the county of Richmond and State of New York deceased, present Richard Crocheron Surrogate, corner Tunis Egbert an executor named in the last Will and Testament of the said deceased, and informed the said court that notice had been given pursuant to the Statute in such case made and provided, of his intention of proving the last Will and Testament of the said John Egbert deceased, and the said Tunis Egbert brought into this court a notice of his intention to prove the said Will, signed by the said Tunis Egbert an executor named in the said Will, with the affidavit of Joseph Egbert, proving the due service of said notice upon all the heirs and devisees of the said John Egbert deceased, to which said notice and affidavits are as follows, to wit:

Surrogate Court. ss. To Joseph Egbert, Edward Egbert, Cornelius Egbert, Thomas H. Egbert, Henry Egbert, William Egbert, and to Anne Johnson, Mary Johnson and Abraham Burbank children of Ann Burbank deceased, daughter of said John Egbert deceased, To John Barton and Mary Barton children of Jany Barton, also a daughter of said deceased, and to Richard Decker Guardain, duly appointed by the Surrogate of the county of Richmond to take care of the interests of Mary Jane, Eliza Ann and Harriet Egbert, infant children of Samuel Egbert deceased, son of said John Egbert deceased, all heirs of John Egbert late of Castletown in the county of Richmond and State of New York deceased, and all others whom this notice may concern. You and each of you are hereby required to take notice, that I shall apply to Richard Crocheron Surrogate of the county of Richmond, at his office in the Village of Richmond on the sixth day of December next 2 o'clock in the afternoon, to have the last Will and Testament of the said John Egbert deceased, proved and recorded, pursuant to Chapter sixth, title first, article first, part the second of the revised Statutes of the State of New York. Dated the 18th day of December 1830. Tunis Egbert, Executor

Richmond County, N. Y. Joseph Egbert, being duly sworn deponent and saith, that he personally served the above notice on the persons therein named, on the nineteenth day of November 1830 and further this deponent saith not. Dated the 9th day of Dec. 1830
Sworn before me the above date } Signed Joseph Egbert.

Richmond County, N. Y. Lewis Egbert, being duly sworn deponent and saith that he is an Executor of the last will and Testament of John Egbert deceased, named in the within said, and that there are no heir or devise of the said deceased interested in his real or personal estate, besides those named in the said notice, and further this deponent saith not.
Sworn before me — } Lewis Egbert
the 9th day of Dec. 1830.

Whereas the said court being satisfied with the proof made in the premises, that due notice had been given according to law, of the intention to have the said will of the said deceased proved, according to an act of the Legislature of the State of New York, entitled an act concerning Wills of Real and personal property, and the proof of them, it was therefore ordered on reading and filing the above affidavits by the said court, that Lewis Egbert executor as aforesaid, have leave to proceed to prove the said will of the said deceased, and thereupon the said will being produced and shewn to the said court.

The day appointed to prove the said will was the sixth day of December, when Lewis Egbert and most of the heirs attended, the witnesses not appearing the case was adjourned until the ninth when the parties and witnesses attended.

Richmond County, State of New York, N. Y.

In the matter of proving the will of Real and personal estate of John Egbert late of Castle-town in the County of Richmond and State of New York. Do Joseph Christopher of the town of Castle-town in the County aforesaid being duly sworn deponent and saith, that the instrument now shewn to him purporting to be the last will & Testament of the said deceased bearing date the eighth day of February in the year of our Lord one thousand eight hundred and twenty-five which said instrument purports to be

signed by John Egbert the said Testator, and witnessed by Isaac Fardon, John C. Crocheron and Lewis Egbert Senior, this deponent further saith, that the said testator and the said witnesses are all deceased, that he the said deponent was familiarly acquainted with the hand writing of the said John Egbert the testator and of the hand writing of Lewis Egbert Senior one of the subscribing witnesses, that the hand writing to the said instrument of their said names he verily believes to have been made and done by them. And further this deponent saith not.

Sworn before me the 9th day Joseph Christopher of Dec. A. D. 1830, Richd Crocheron Surrogate

State of New York

Richmond County } In the matter of proving the last will and Testament of the real and personal estate of John Egbert late of the town of Castle-town in the County and State aforesaid Deceased.

Henry C. Hedley of the town of Southfield in the County aforesaid Attorney and Counsellor at Law, being duly sworn, saith, that he is acquainted with the hand writing of Isaac Fardon, John C. Crocheron and Lewis Egbert Senior, all of whom are now deceased; and this deponent further saith that a certain paper writing purporting to be the last will and Testament of John Egbert deceased bearing date the eighth day of February A. D. 1825 and purporting also to be subscribed by the said Isaac Fardon, John C. Crocheron and Lewis Egbert and is now shewn to him, and that upon inspection of the same, he saith, that he verily believes that the signatures of the said Isaac Fardon, John C. Crocheron and Lewis Egbert Senior, are in the proper hand writing, and signatures of the said Isaac, John and Lewis, and that said signatures were respectively made by them as subscribing witnesses to said will, but this deponent does not know that the names were subscribed at the request or in the presence of the testator, or in the presence of witnesses.

Signed Henry C. Hedley

And thereupon it appearing to the said court that the said Will of the said deceased was duly executed according to law, and that the said testator who executed the same, there is no doubt then at the time of such execution, of sound mind and memory and not under any restraint, from the character of the witnesses who subscribed the same, whose signatures have been sufficiently proved; It is ordered by the said court, on due deliberation, that the said Will, together with the proof then of be recorded, which said proof is herein before recorded and contained, and that said Will do ordered to be recorded as follows, to wit:

In the Name of God, Amen, I, John Egbert, of the Town of Babylon in the County of Richmond and State of New York, being far advanced in years and infirm, and knowing it is appointed for all men once to die being of sound mind memory and understanding blessed be God for the same, do, make ordain and publish this my last Will and Testament in manner and form following, that is to say, I order all my just debts and funeral charges to be paid as soon as convenient after my decease, by my Executors herein after named. Imprimis, I give and bequeath unto my son Joseph Egbert the sum of one hundred and fifty Dollars. Item, I give unto my son Tunis Egbert the sum of one hundred and fifty Dollars. Item, I give and bequeath unto my son Edward Egbert the sum of one hundred and fifty Dollars. Item, I give and bequeath unto my son Thomas Holmes Egbert the sum of one hundred and fifty Dollars. Item, I give and bequeath unto my son Henry Egbert the sum of one hundred and fifty Dollars. Item, I give and bequeath unto my son Cornelius Egbert the sum of one hundred and fifty Dollars. Item, I give and bequeath unto my son William Egbert the sum of one hundred and fifty Dollars. Item.

After the above mentioned sums are paid. I will and bequeath unto all my children Ten in number to share equally share and share alike to the children of those that is died as they arrive to the age of twenty one years to be equally divided share and share alike, but in case that if any of my children should die under

age or without lawful issue my Will is that such share shall be equally divided among my surviving children, it is my Will and do order my executor or the survivor of them to make sale of all my property, both real and personal after my decease as soon as possible, if they can get a fair price for the real estate and if not it may be at their discretion to rent it two years, to my son Cornelius and my son William. And Lastly I do hereby nominate constitute and appoint my son Joseph Egbert, and my son Tunis Egbert, and my Brother Tunis Egbert, Executors of this my last Will and Testament, hereby revoking disannulling and disallowing all former Wills by me made with giving my said Executors full power to act accordingly. In Witness whereof, I have hereunto set my hand and seal this eighth day of February in the year of our Lord, one thousand eight hundred and twenty five. 1825.

Published pronounced and declared by the said John Egbert to be his last Will and Testament in the presence of us who in his presence have subscribed our names as witnesses

Isaac Tabor. John C. Crocker. Tunis Egbert son

State of New York. Be it remembered that at a Surrogate Richmond County court, held at the Surrogate office in the Village of Richmond, in the aforesaid County, on the ninth day of December A. D. 1830, before Richard Crocker Surrogate of the said County by the last Will and Testament of John Egbert deceased, was admitted to probate by me, and that probate thereon was granted the above-estate, after having been duly proved, (which proof and the Will is herein before recorded) Whereupon it is ordered that letters testamentary thereon be granted to Joseph Egbert and Tunis Egbert Executors in the said Will named, after the expiration of thirty days, from the time of taking the proof aforesaid, on their taking and subscribing the oath of office prescribed by law. Be it also remembered that on the 16th day of January A. D. 1831, Personally appeared before me Tunis Egbert one of the Executors in the said Will named, and were duly sworn to the faithful performance and execution thereof by taking the usual oath in such cases prescribed, where letters testamentary was duly issued to said Tunis, and recorded in the Surrogate's office. Richard Crocker Surrogate.

Record of the Will of Cornelius N^o Borsen

State of New York? We it remembered, that a Surrogate
Richmond County? Court held for the County of Richmond
at the surrogate office in the Village of Richmond on the
seventh day of February, A. D. 1831. In the matter of pro-
ving the Will of Real and personal estate of Cornelius N^o Borsen late of the town of Castleton in the said County of Rich-
mond deceased. Present Richard Crocheron, Surrogate.
Carries Benjamin O Bedell an executor named in the
last will and testament of the said deceased, and inform-
ed the said court that notice had been given pursuant to
the statute in such case made and provided, of his inten-
tion of proving the last will and testament of the said Cor-
nelius N^o Borsen deceased, and the said Benjamin Bedell
brought into this court a notice of his intention to prove the
said will signed by the said Benjamin executor of the said
will, with the affidavit of said Benjamin, proving the
due service of the said notice upon John Jones Guardian of
the heirs of said deceased, which said notice and affidavit
are as follows, to wit. In the matter of proving the Will
of Real and personal estate of Cornelius N^o Borsen deceased
To John Jones Guardian of Hiram J. Jane Annand and
Benjamin N^o Borsen heirs of the said deceased.

Please to take notice that the undersigned one of the
executors of the said deceased, intend to apply to Rich-
ard Crocheron Esq. Surrogate of the County of Richmond
at his office in the Village of Richmond, on Monday the
seventh day of February next 2 o'clock P. M. to have the
last will and testament of Cornelius N^o Borsen deceased
proved and recorded, pursuant to the revised Statutes of
the State of New York.

Dated the 20th day of January 1831. Benjamin O Bedell Esq.
State of New York? Benjamin O Bedell being duly
Richmond County? sworn deponent and oath, that he is one of the executors of
the last will and testament of Cornelius N^o Borsen late of
Castleton in the said County deceased, that the said de-
ceased died on or about the 26th day of December last past
that there are no other heirs of the said deceased than his
three children in the above notice named viz Hiram J.
Jane Annand and Benjamin N^o Borsen, that on application

to the Surrogate of the County of Richmond to appoint a Guardian
for said heirs, infants under the age of twentyone years, to take care of
their interests in the proceedings to be had upon the said Will of
the said deceased, whereupon John Jones the person in the said
notice named was duly appointed by said Surrogate, and the
said notice was personally served on him by one. Signed.

Sworn before me Feby. 7. 1831. Rich^d Crocheron Surrogate & Benjamin O Bedell
Whereas the said court being satisfied with the proof made in
the premises, that due notice had been given according to law, of the
intention to have the said Will of the said deceased proved, according
to an act of the Legislature of the State of New York, entitled an
act concerning Wills of Real and Personal property, and the
proof of them. It was therefore ordered, on reading and filing the
above affidavit by the said court, that Benjamin O Bedell
the aforesaid executor, have leave to proceed to prove the said
Will of the said deceased, and thereupon the said Will being
produced and shown to the said court.

State of New York. Richmond County. ss.
In the matter of proving the Will of Real and personal estate of
Cornelius N^o Borsen late of Castleton in the said County de-
Edward Vanderbilt of the town and County aforesaid
being duly sworn deponent and oath, that he did see the said
deceased, sign and seal the said instrument now shown to him
purporting to be the last will and testament of the said de-
ceased, bearing date the seventeenth day of May in the year of
our Lord one thousand eight hundred and thirty, and heard
him the said deceased, publish and declare the same as,
and for his last will and testament, that at the time
thereof, the said deceased was of sound disposing mind
and memory, and not under any restraint, to the best
knowledge and belief of this deponent, that he together
with Richard C Blake the other subscribing witnesses
to the said will, subscribed their names thereto as wit-
nesses, in the presence of the testator, at his request, and
in the presence of each other, and further this deponent saw and
sworn and subscribed the 4th day of - Edward Vanderbilt
February 1831. by me Rich^d Crocheron Surrogate.

State of New York. Richmond County. ss.
In the matter of proving the Will of Real and personal estate
of Cornelius N^o Borsen late of Castleton in said County deceased.
Richard C Blake of the town and County aforesaid.

Being duly sworn, depose the said oath, that he did see the said deceased, sign and seal the said instrument now shown to him, purporting to be the last Will and Testament of the said deceased, bearing date the seventeenth day of May in the year of our Lord one thousand eight hundred and thirty, and hears him the said deceased, publish and declare the same, and for his last Will and Testament, that at the time thereof, the said deceased was of sound disposing mind and memory, and not under any restraint, to the best knowledge and belief of this deponent, that he together with Edward Kaman. Bilt the other subscribing witnesses to the said will subscribed their names thereto at the request of the testator, in his presence, and in the presence of each other, and further this deponent doth not.

Sworn & subscribed the 7th day of Feb^r 1831. before me. Rich^d Crookson Clerg^y } Richard C. Blake

And thereupon it appearing to the said Court that the said Will of the said deceased, was duly executed according to law, and that the said testator who executed the same, was at the time of making such execution, of sound mind and memory, and not under any restraint; It is ordered by the said Court on due deliberation, that the said Will to gether with the proof thereof be recorded, which said proof is herein before recorded and contained, and that said Will be ordered to be recorded as follows. to wit.

In the Name of God, Amen.
 I, Cornelius N. B. Corson of the town of Carleton County of Richmond and State of New York, being weak in body, but of sound & perfect mind and memory, and considering the uncertainty of this mortal life, do make and publish this my last Will and testament in manner and form following. viz. first I commend my soul to Everlasting God, by whose grace in Christ, I hope to be saved.

my body I wish to be buried in a decent Christianly manner. As to my worldly goods I dispose of them as follows. That is to say, First after the payment of all my funeral charges, and just debts as herein after provided.

I give to my beloved Wife Sarah in lieu of her right of dower, excepting such articles as I give to my children Hiram J. Jane Amanda & Benjamin Williamson, all the residue and remainder of household and kitchen furniture, as also plate of every description, Bureaus, Bedsteads, Bedding - as well the furniture which is now in my possession, and constitutes a part of my personal property, as that which will come to my estate, and possession, after the death of my Mother, to have and to hold to my said Wife for her use and benefit. And such articles as she may not want, to be disposed of, as to be distributed and divided amongst my children as they may think they stand in need of, and shall be for their benefit. Also I give to my said Wife Sarah, in lieu as aforesaid my Grey Horse, Waggon and harness, and also in lieu as aforesaid, I give to her the use of my Farm, with a dwelling, out houses and a kitchen there is belonging; for and until the time my youngest child and son Benjamin Williamson shall arrive of lawful age, or in case of his death, until the next youngest child shall be of age. She my said Wife to provide for and bring up my said children in the best way and manner she can. On my aforesaid child Benjamin Williamson coming of lawful age, or in any other event as the circumstances of the case shall be, I wish, and accordingly empower and direct my Executors & Executors herein after mentioned to make sale of my Farm and all my estate not already disposed of, wherever situated, and give deeds or conveyances for the same. To enable my Executrix and Executors herein after named to pay all just debts and charges against my estate, I do authorize and direct them to sell all my stock, (excepting as already disposed of) consisting of horses, cattle, farming implements and utensils, Grain, Lumber &c. also

if requisite, a lot of salt meadow lying in the township of Northfield, county of Richmond and State of New York, near Tunisons brook so called.

Also if requisite a lot of land, situate and lying on the turnpike road, adjoining James Colliver land, in the township of Castleton & county aforesaid.

I give to my eldest son Hiram my secretary (Bureau) also, I give to him my folding piece or gun and a pair of Pistols to have and to hold to him, his heirs and assigns forever.

I give to my daughter Jane Amanda (after the death of my mother) a Bureau given her possession and use, to have and to hold to her, her heirs and assigns forever.

I give to my youngest son Benjamin Williamson, (after the death of my mother aforesaid) a clock, also given in her possession and use, to have and to hold to him, his heirs and assigns forever.

After the death of my said mother, all the monies, as also articles of household furniture which were given and bequeathed to me, by my Father, as will appear by reference to his last Will. Therefore, the use that is the interest of the said monies, I give to my wife aforesaid for and untill the time that my said youngest son Benjamin Williamson shall arrive of lawful age. In case of his death, as circumstances, as before stated shall govern.

And on my said youngest son coming of age or sooner as may be, whereas I have already said in before, ordered all my Farm and estate not otherwise disposed of to be sold, now therefore the monies of said sale, (excepting necessary expenses) as also all other monies belonging to my estate then left and remaining, I dispose of as follows.

The interest of one third of all the said monies, I give to my wife Sarah, for and during her life in this world. The residue and remainder of said monies, I give to my children Hiram J. and

Amanda and Benjamin Williamson to each share and share alike to them their heirs and assigns forever, and upon, or after the death of my said wife, the one third part of all the said monies, which she had the interest of, to be equally divided among my aforesaid children. And should either of them die or without lawful issue his or her part to be equally divided among my surviving children and heirs.

In regard to my two colored boys (servants) viz. Peter Lawrence and Andrew, as they will have some time yet to serve before they are free, I do therefore wish my Executors to dispose of them in the best manner they shall see fit.

And lastly, I do appoint my wife Sarah, Executor, and my friends Peter J. Van Pelt and Benjamin P. Boole, Executors, of this my last Will and Testament, hereby revoking all other Wills by me made. In W. Attest, whereof, I have hereunto set my hand and seal this seventeenth day of May, in the year of our Lord one thousand eight hundred and thirty. May 17th 1830.

Signed, sealed, published and declared, by the abovesaid Cornelius H. Benson to be his last Will and Testament, in the presence of us, who at his request and in his presence, have hereunto subscribed our names, and places of residence as witnesses to the same.

Edward Vandervilt, Castleton, Staten Island N.Y.
Richard L. Blake also of Castleton, Staten Island

State of New York }
Richmond County } ss. (Be it remembered that at a Surrogate Court, held in and for the county aforesaid, at the Surrogate office in the Village of Richmond on the 7th day of February A. D. 1831. before Richard L. Blake Surrogate for the said County, the last Will and Testament of Cornelius H. B. Benson late of said County deceased was admitted to probate, after having been duly proved, which proof and the said Will is hereby

before recorded. Whereupon it was ordered that Letters Testamentary thereon be granted unto Sarah Benson Executrix and to Reverend Peter J. Van Pelt & Benjamin P. Beedell Executors named in the said Will, after the expiration of thirty days from the time of taking the proof aforesaid, on their taking and subscribing the oath of office prescribed by law.

Be it also remembered that on the ninth day of March, A. D. 1831, personally appeared before me Sarah Benson, Executrix and Benjⁿ P. Beedell one of the Executors in the aforesaid Will named, and were duly sworn to the faithful performance and execution thereof, by taking the usual oath in such cases provided, whereupon Letters Testamentary was duly issued to the said Sarah and Benjamin upon the estate of the said deceased.

Richard Crocheron here

Record of the Will of Isaac Butler

State of New York. Be it remembered that Richmond County, a Surrogate Court held for the County of Richmond, at the dwelling house of Isaac Butler late deceased, on the 19th day of February, A. D. 1831. In the matter of proving the Will of Real and personal estate of Isaac Butler late of the town of Westfield in the said County of Richmond, deceased.

Present Richard Crocheron Esquire Surrogate former Thomas Butler, Sen. and one of the heirs of the said deceased, and informed the said Court, that notice had been given pursuant to the Statute in such case made and provided, of his intention of proving the last Will and Testament of the said Isaac Butler deceased, and the said Thomas Butler brought into this Court a notice to the heirs of the said deceased that the said Will would be offered for proof, signed by the said Thomas Butler, one of the heirs, with the affidavit of John Decker, proving the due service of the said notice, upon all the heirs and devisees of the said Isaac Butler deceased, which said notice and affidavit are as follows, to wit.

Richmond County, ss. To Thomas Butler, John Decker and Maria his Wife, Cortlandt P. Butler, and Harriet Butler heirs of Isaac Butler late of Westfield in the County of Richmond deceased, and all others whom this notice may concern.

You and each of you are hereby required to take notice that I shall apply to Richard Crocheron Esquire Surrogate of the County of Richmond, at the dwelling house of the said late Isaac Butler deceased, in the town of Westfield, on Saturday the 19th of February, instant, 10. O'clock in the forenoon, to have the last Will and Testament of the said Isaac Butler deceased, proved and recorded pursuant to Chapter Sixth, title first, article first, part third and of the revised Statutes of the State of New York.

Dated the 4th day of February 1831. Thomas Butler

Richmond County, ss. John Decker of the said County, being duly sworn, dep^oth and saith, that he personally served the above notice on the persons therein named the 5th day of February - last past, and that there are no other heirs of the said Isaac Butler deceased other than those mentioned in the said above notice.

Dated February 19th 1831. John Decker

Sworn before me the said day. Richard Crocheron Surrogate. Whereas the said Court being satisfied of the proof made in the premises, that due notice had been given according to law, of the intention to have the said Will of the said deceased proved, according to an Act of the Legislature of the State of New York, entitled an Act concerning Wills of Real and personal property, and the proof of them, it was therefore ordered on reading and filing the above affidavit by the said Court, that those interested have leave to proceed to prove the said Will of the said deceased, and thereupon the said Will being produced and shewn to the said Court.

State of New York. Richmond County ss. In the matter of the last Will and Testament of Isaac Butler late of the town of Westfield in the County of Richmond, deceased. John D. Lee, of Perth Amboy, in the County of Middlesex and State of New Jersey, being duly sworn, dep^oth and saith, that he did see the said deceased, sign and seal the said instrument now shewn to him, purporting to be the last Will and Testament of the said deceased, bearing date the twenty first day of May, in the year of our Lord one thousand eight hundred and thirty, and heard him the said deceased publish

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and declare the same, as and for his last Will and Testament, that at the time thereof the said deceased was of sound disposing mind and memory, and not under any restraint to the best knowledge and belief of this deponent, that he, together with ~~his deponent~~ Richard Jackson the other subscribing witness to the said Will, subscribed their names thereto as witnesses in the presence of the testator, and at his request, and in the presence of each other, and further this deponent saith not.

Sworn and subscribed before John D. See on Feb² 19th 1831. Richard Crocherson Surrogate State of New York. Richmond County, ss.

In the matter of proving the last Will and Testament of Real and Personal estate of Isaac Butler, late of the town of Westfield in the county and State aforesaid, deceased.

Henry Butler of the said county being duly sworn deposeth and saith, that he is acquainted with the hand writing of Isaac Butler and Richard Jackson Esquire, both of whom are now deceased; and this deponent further saith, that a certain paper purporting to be the last will and testament of the aforesaid Isaac Butler deceased, bearing date the 24th day of May, A. D. 1831. purporting to be signed by the said Isaac Butler, and subscribed by the said Richard Jackson as a witness thereto, the said paper now shewn to him, and upon inspection of the same, he verily believes, that the signature of the said Isaac Butler, as the testator of the said instrument is in the proper hand writing of the said Isaac, and also saith and verily believes, that the signature of Richard Jackson as a witness to the said instrument is in his own proper hand writing, and that the said signatures were respectively made by them as testator, and witness thereto. Henry Butler

(66)

Sworn and subscribed the 19th day of February 1831. before me Richard Crocherson Surrogate.

And thereupon it appearing to the said court, that the said Will of the said deceased was duly executed according to law, and that the said testator who executed the same, was at the time of making such execution, of sound mind and memory, and not under any restraint; It is ordered by the said court on due deliberation, that the said Will, together with the proof thereof be recorded, which said proof is herein before recorded and contained, and that the said Will so ordered to be recorded is as follows, to wit.

In the Name of God. Amen. I, Isaac Butler of Westfield Richmond County and State of New York, being of sound mind and disposing memory do make and publish this my last Will and Testament, in manner, and in form following. viz. I order and require my executors to pay all my just debts and funeral charges.

I give and bequeath to my son Thomas Butler his heirs and assigns forever, forty five acres of land, a part of my Southside farm, to commence at Princeps Bay and running up the said farm the whole width, so far north as to make the forty five acres. I give and bequeath to my daughter Maria her heirs and assigns forever the remaining part of my said Southside Farm after the said forty five acres is run out hereby given to son Thomas.

I give and bequeath unto my son Colcutt-land, my daughter Harriet, and my daughter Emily their heirs, and assigns forever, as tenants in common, my homestead farm, where I now reside. — together with all my stock of cattle and other articles, furniture and every other article or thing thereon to be equally divided among them, the said Colcuttland Harriet and Emily, — I give and bequeath unto my son Colcuttland my daughter Harriet and Emily, their heirs and assigns forever, as tenants

in common, my four acres of salt meadow situate and being what is commonly called Haves Meadow. — I further order and direct that all the part of my property by this Will bequeathed to my son Jonathan shall, after his death, belong to my two daughters Harriet and Emily, their heirs and assigns forever as tenants in common. — I order and direct that my son Thomas shall have a right of way to the main public road through the land by this Will bequeathed to my daughter Maria, and his heirs and assigns forever, by shutting up bars and gates.

Lastly I nominate and appoint my friends David Croswell of Perth Amboy, New Jersey, and my friend Alpha B Ward of Staten Island, executors of this my last will and Testament, hereby revoking all former wills by me made.

In Witness whereof, I have hereunto set my hand and seal this twenty first day of May in the year of our Lord one thousand eight hundred thirty.

Signed sealed, published pronounced and declared to be the last will and Testament of Isaac Butler at whose request we subscribed our names as witnesses in the presence of the testator & of each other.

Isaac Butler

Ruthara Jackson, Staten Island.

John D See — Perth Amboy.

State of New York }
 Richmond County }
 Be it remembered, that at a Surrogate Court, held in and for the aforesaid Richmond County, at the dwelling house of Isaac Butler (in the town of Westfield,) late deceased, on the 19th day of February A. D. 1831. before Richard Crockeron Esquire Surrogate of said County, the last will and Testament of Isaac Butler late of said County deceased, was admitted to probate after having been duly proved, (which proof together with the will is here before recorded) —

Whereupon it was ordered, that letters testamentary thereon be granted to Alpha B Ward and David Croswell executors in the said Will named, after the expiration of thirty days, from the time of taking the proof aforesaid, on their complying with the Statute in such cases provided, and taking and subscribing the oath of office prescribed by law.

Be it also remembered that on the 26th day of March A. D. 1831, personally appeared before me Alpha B Ward & David Croswell, Executors in the aforesaid Will named, and were duly sworn to the faithful performance and execution thereof, by taking the usual oath in such cases provided, and the said David producing the bond to this Court, required by Statute. Letters Testamentary were duly issued to the said Alpha & David, upon the estate of the said deceased.

Richard Crockeron Surrogate

The Record of the Will of John Bodine junr.

State of New York }
 Richmond County }
 Be it remembered — that a Surrogate Court held for the County of Richmond, at the dwelling house of John Bodine (in the town of Castleton) late deceased, on the 24th day of February A. D. 1831. In the matter of proving the will of Real and personal estate of John Bodine junr late of Castleton in the County and State aforesaid, deceased.

Present Richard Crockeron Surrogate
 Isaac R Houman and Jacob Degroot, the executors named in the last will and Testament of the said deceased, ^{appeared} and informed the said Court that notice had been given pursuant to the Statute in such case made and provided, of their intention of proving the last will and testament of the said John Bodine junr deceased, and the said named Executors brought into this Court a notice of their intention to prove the said will signed by the said named Executors of the said will, with the affidavit of Cornelius Marston, proving the due service of the said notice, upon Peter Roff & Catherine his wife, Cornelius

Bodine & Mary Bodine, Children and heirs of said deceased, and upon Abraham Crocheron - Guardian of the Minor Children of said deceased viz. John, Peter, Abraham, Jacob, Lois, Ann Eliza and David Bodine (which said Guardian had been previously appointed by the said Surrogate to take care of the interest of the said minors in the proceedings to be had upon the will of said deceased, on application of the Mother of said infants), the said notice and affidavit are as follows, to wit:

State of New York -
 Richmond County - To Peter Roff & Catherine his wife, Cornelius Bodine & Mary Bodine, Children and heirs of John Bodine just late of Castleton in said County deceased, and to Abraham Crocheron Guardian of the Minor Children and heirs of said deceased viz. John, Peter, Abraham, Jacob, Lois, Ann Eliza, and David Bodine, and all others whom this notice may concern; You and each of you are required to take notice, that we shall apply to Richard Crocheron Surrogate of the said County at the dwelling house of the said deceased, situated in Castleton in the said County, on Thursday February 24th 2 O'clock in the afternoon of that day, to have the last will and testament of the said John Bodine just deceased proved and recorded, pursuant to Chapter sixth title first, Article first, part the second, of the revised Statutes of the State of New York.

Dated the 8th day of February A. D. 1831. Isaac R. Housman, ex Jacob Degroot -
 Richmond County Jr. Cornelius Mauston being duly sworn, deposes and saith that he personally served the above notice, on the persons therein mentioned, and said deponent further saith, that there are no other heirs of the above named John Bodine just late of Castleton in the said County deceased, than those named in the said above notice and further this deponent saith not. Cornelius Mauston sworn before me Feb 24th 1831. Richard Crocheron Surrogate

Whereas, the said Court being satisfied of the proof made in the premises, that due notice had been given according to law, of the intention to have the said Will of the said deceased proved, according to an act of the Legislature of the State of New York, entitled an act concerning wills of Real and personal property and the proof of them, It was thereupon ordered on reading & filing the above affidavit by the said Court, that Isaac R. Housman & Jacob Degroot, the aforesaid ex-ecutors, have leave to proceed to prove the said Will of the said deceased. And thereupon the said Will being produced and shown to the said Court.

State of New York. Richmond County Jr. In the matter of proving the Will of Real and personal estate of John Bodine just late of Castleton in the County and State aforesaid, dec^d. William Degroot of the County aforesaid being duly sworn deposes and saith, that he did see the said deceased, sign and seal the said instrument now shown to him pur-
 porting to be the last will and testament of the said deceased, bearing date the second day of October in the year of our Lord one thousand eight hundred and twenty four, and heard him the said deceased, publish and declare the same, as, and for his last will and testa-
 ment, that at the time thereof, the said de-
 ceased, was of sound disposing mind and
 memory, and not under any restraint, to the best knowledge and belief of this deponent, that he together (with George) Cordman and Abraham Baucker the other subscribing wit-
 nesses to the said Will, subscribed their names thereto as witnesses in the presence of the testator, at his request, and in the pre-
 sence of each other, and further this depo-
 nent saith not.

Sworn and subscribed the William Degroot
 24th day of February. A. D.
 1831. before me. Rich^d Crocheron Surrogate

State of New York. Richmond County ss.
In the matter of proving the Will of Real
and personal estate of John Bodine junr late
of Bartleton in the County aforesaid deceased.

George F. Coomus, being duly sworn, de-
poneth and saith, that he did see the said
deceased, sign and seal the said instru-
ment now shown to him, purporting to be
the last Will and Testament of the said de-
ceased, bearing date the second day of October
in the year of our Lord one thousand eight
hundred and twenty four, and heard him
the said deceased publish and declare the
same, as, and for his last Will and testament
that at the time thereof the said deceased was
of sound disposing mind and memory and
not under any restraint, to the best of the
knowledge and belief of this Deponent, that
he together with William Degroot and Abra-
ham Bancher the other subscribing witnesses
to the said Will, subscribed their names
thereto as witnesses, in the presence of the
testator, at his request, and in the presence
of each other. And further this Deponent saith not.

Sworn and Subscribed the George F. Coomus
24th day of February 1831. Before me. Richard Crockeron Surrogate
State of New York. Richmond County ss.

In the matter of proving the Will of Real
and personal estate of John Bodine junr late of
Bartleton in the County and State aforesaid.
William Degroot and Jacob Degroot of the
County aforesaid, being duly sworn deponeth
and saith, that they did see the said deceased
sign, and seal the instrument now shown to
them, purporting to be a codicil or annexed
clause to the last Will and testament of the
said deceased, bearing date the twentieth day
of March in the year of our Lord one thousand
eight hundred and twenty six, and heard him
the said deceased, publish and declare the same

as a codicil or attestation of his last Will and tes-
tament, that at the time thereof the said deceased
was of sound disposing mind and memory, and
not under any restraint, to the best of the know-
ledge and belief of these Deponents, that they the
said Deponents, subscribed their names thereto
as witnesses in the presence of the testator, at his re-
quest, and in the presence of each other, and fur-
ther these Deponents saith not.

Sworn and Subscribed the William Degroot
24th day of Feb 2 1824 before Jacob Degroot
me. - Richard Crockeron Surrogate

And thereupon it appearing to the said
Court, that the said Will of the said deceased
was duly executed according to law, and that
the said testator who executed the same, was
at the time of making such execution, of sound
mind and memory and not under any re-
straint. It is ordered by the said Court on
due deliberation, that the said Will together
with the proof thereof be recorded, which
said proof is herein before recorded and con-
tained, and that the said Will so ordered to be
recorded is as follows. To wit:

In the name of God. Amen. I, John
Bodine ^{junr} of the town of Bartleton in the
County of Richmond and State of New York. Geo-
man, being at this time in a comfortable state
of bodily health, and possessing a sound disposing
mind, memory and understanding, seriously con-
templating the brevity and uncertainty of human
life, and the absolute and unavoidable certainty
of Death, do deem it my indispensable duty, while
I have strength and capacity so to do, to order, adjust,
regulate and dispose of my worldly property in such
manner, that my good will and pleasure respecting
the management and distribution thereof may be
clearly and distinctly ascertained, and all doubts, dis-
putes and difficulties relative thereto, may be thereby
effectually prevented. Under those impressions, I

order and direct that the following clauses in this instrument, contained, shall be considered, respected, and observed as constituting my last will and Testament.

Imprimis, Wheresoever it shall please Almighty God the Arbiters and disposer of all things, to remove my immortal spirit from this vale of tears, and shall fix my state, in the regions of eternity; I direct my Executors to cause my inanimate body, to be interred in a decent and Christian like manner, and immediately thereafter to take upon themselves, the burden and execution of this my last will and Testament.

It is my Will and I hereby Order and direct, that my beloved wife Elizabeth, (as long as she shall continue to be my widow,) shall be permitted to retain the possession of all my estate Real and Personal, that all my household and kitchen furniture and moveables of every description shall be left with her to make a prudent use thereof for the comfortable accommodation of herself and her children, but she shall not be at liberty to sell or dispose of the same, or any part thereof, nor shall she be allowed to abuse her privilege, by wasting, injuring or destroying any article or articles composing the same. — Item, I further

Will, order and direct, that my Executors, whose names are herein after mentioned, will take into their charge, the safe keeping all my real estate, for the benefit and interest of my wife and her children, that they will reserve one of my dwelling houses for the residence of my said wife and those of her children who may from time to time compose her household, and shall attend to keeping it in good tenantable repair, And they my said Executors, are hereby required to rent or lease out my other dwelling houses, to good and respectable tenants, for such sum or sums of money as from time to time shall or may reasonably be had or gotten for the same, which monies shall be duly collected as they become due and payable and be appropriated for the support and maintenance of my said wife Elizabeth, and for the support, maintenance and Education of my younger children, who shall reside with her, and be under her immediate care guidance and protection. It is my request and I hereby enjoin it on my executors, (in whom

I place the most unbounded confidence as men of integrity,) that they will act as the assistants of my wife, and aid her with their counsel in the management of her family concerns. And it is further my request that they my said executors, will have a vigilant eye to the children while in a state of infancy, attend to their education, and prevent them from running into the paths of vice and folly.

As the rents of the houses, and the produce and profits arising from the cultivation of my lands, are all to be applied for the benefit of my family, it is my request that my said executor, or the survivor of them, out of the monies that shall from time to time come into their or his hands, shall do out to my said wife, at their discretion, whatever monies she may absolutely need for the comfortable support of herself and children, so that they may have no cause of complaint for want of plenty of provisions, clothing and all other suitable accommodations. — Item, I hereby order

and direct that from out of the first monies they shall receive, they my said executors shall pay off and discharge all my just and lawful debts, to whomsoever due and owing, and likewise settle and pay off, all my funeral and testamentary charges and expences. — Item, Immediately subsequent to the death or remarriage of my wife aforesaid, I order

and direct that my executor shall proceed to advertise all my estate real and personal for sale at public auction and on a day appointed in and by the advertisements shall attend and sell of every article composing my personal estate, the houses and lots of land belonging to me shall also be exposed to sale, but shall not be struck off unless a satisfactory price or prices shall be offered therefor, but the sales of my said real estate may be adjourned from time to time, at the discretion of my executors. — The amount of the monies which shall be obtained for the whole of my property shall be disposed of in manner following, — If my wife should marry again, she shall be entitled to receive, and my executors are ordered to pay to her the sum of one hundred Dollars, on her giving them a full release of all claims and demands in upon or against my estate, — but should the property be sold in consequence of her death then the following disposal shall take place, to my son Cornelius Bodine, I give and bequeath, the sum of fifty Dollars, or his full portion; — And the residue of the

monies, arising from the sales of my property shall be divided in just and equal proportions to and among all the rest of my children. Viz. Catherine wife of Peter Ralph, Mary, John, Peter, Abraham, Jacob, Lois, Amelia, and David; And should any other child or children be born to me hereafter, such child or children to share equally with those above mentioned, each of the children shall be entitled to receive their respective dividends of my estate, as soon as he or she shall attain the full age of twenty one years and not before; And such as shall be in a state of infancy, at the time the said division shall take place, as above ordered, must be content that their shares shall be put out at interest on good security for their benefit, until they shall reach that age; and the interest shall yearly collected and appropriated to their support, maintenance & education respectively, — Item, In case it should so happen that any or either of my children above mentioned should die under lawful age, leaving no legitimate issue, then the share or shares of the deceased shall be divided equally to and among the surviving children —

Finally, I hereby nominate, constitute, authorize and appoint my friends Isaac R. Howman Esqr of Castleton and Jacob Degroot of Dutchess, the executors of this my last will and testament, hereby revoking, disavowing and disallowing all other wills by me heretofore made, ratifying, allowing and confirming this only to be my last will and Testament.

In Testimony whereof, I the said Testator have hereunto subscribed my name and affixed my seal the second day of October in the year of our Lord, One thousand eight hundred and twenty four.

Signed, Sealed, published, pronounced and declared by the above named John Bodine Junr as and for his last will and Testament, in the presence of us, who have hereunto subscribed our names as witnesses at the request and in the presence of the said Testator, and also in the presence of each other.

Witnesses
William Degroot
George Codrington
Abrm. Bancker

I will that my son Cornelius shall share and share alike with the rest of my children.

In testimony whereof, I the said Testator have hereunto subscribed my name, and affixed my seal the twentieth day of March in the year of our Lord, one thousand eight hundred and twenty six.

Signed, sealed, published, pronounced and declared, by the above named John Bodine Junr as and for his last will and Testament in the presence of us who have hereunto subscribed our names as witnesses, at the request and in the presence of the said Testator, and also in the presence of each other.

Jacob Degroot. William Degroot. John Haighwout

State of New York, Be it remembered that at a Justices of the Peace Court, held in and for the said County, at the dwelling house of John Bodine Junr late of Castleton in said County deceased, on the 24th day of February A. D. 1835. before Richard Crocheron Surrogate of the said County, the last will and Testament of John Bodine Junr late deceased, was admitted to probate, after having been duly proved, which proof together with the will is herein before recorded. Whereupon it was ordered that letters testamentary thereon be granted to Isaac R. Howman and Jacob Degroot as and for executors, in the said will named, after the expiration of thirty days, from the time of taking the proof aforesaid, on their taking and subscribing the oath of office prescribed by law.

Be it also remembered, that on the 28th day of March A. D. 1835. Personally appeared before me Isaac R. Howman and Jacob Degroot the Executors in the aforesaid will named, and were duly sworn to the faithful performance and execution thereof by taking the usual oath in such cases provided, whereupon letters Testamentary were duly issued to the said Executors on the estate of the said deceased. Richard Crocheron Surrogate

Record of the Will of Vincent Bodine

State of New York }
Richmond County } Be it remembered, that a Surrogate Court, held for the County of Richmond, at the Surrogate office in the Village of Richmond on the tenth day of February, in the year of our Lord one thousand eight hundred and thirty one.

Present Richard Crocheron Surrogate.

In the proving the will of Real and Personal estate of Vincent Bodine late of Castleton in the County and State aforesaid, deceased. —

Isaac Burbank of Castleton in the said County an Executor named in the last will and Testament of the said Vincent Bodine deceased, made application to the said surrogate to have the said will of the said deceased proved, and set forth to the said surrogate, that the heirs of the said deceased were his two infant children Jacob & Vincent, minor under the age of fourteen years and the said surrogate to appoint a Guardian for said infants, to take care of their interests in the premises, Jacob Burbank a substantial freeholder being present and consenting to be Guardian for said infants, it is ordered that he be appointed their Guardian, when a certificate of Guardianship of said infants, was duly issued to the said Jacob Burbank, and recorded in the office of the said surrogate. Isaac Burbank the said named Executor, being sworn saith, that there are no other heirs of the said deceased than said Jacob & Vincent his infant children, who is here represented by Jacob Burbank their Guardian, and request leave to proceed to prove the said will. Signed Isaac Burbank. Sworn and subscribed before the 10th day of February 1831. Rich^d Crocheron Surrogate.

Whereas, the said court being satisfied with the proof made in the premises, that there are no other heirs of the said deceased, than the said infants, whose Guardian is here present to take care of their interest in the premises; it was therefore ordered, on reading and filing the above application and affidavit by the said court, that Isaac Burbank, the said named executor, have leave to proceed to prove the said will of the said deceased, and thereupon the said will being produced and shown to the said court.

State of New York. Richmond County, ss.

In the matter of proving the will of Real and Personal estate of Vincent Bodine late of Castleton in the County of Richmond and State of New York, deceased. Jacob Burbank and John W Burbank of the town and County aforesaid, being duly sworn separately and saith that they did see the said deceased, sign and seal the said instrument, now shown to them, purporting to be the last will and Testament of the said deceased, bearing date the thirteenth day of December, in the year of our Lord one thousand eight hundred and thirty, and heard him the said deceased publish and declare the same as, and for his last will and Testament, that at the time thereof, the said deceased was of sound disposing mind and memory, and not under any restraint, to the best of the knowledge and belief of these deponents, that they together with sol^r Richard Crocheron the other subscribing witnesses to the said will, subscribed their names thereto as witnesses, in the presence of the testator, at his request, and in the presence of each other, and further these deponents saith not.

Signed: Jacob Burbank —
Sworn and subscribed before John W Burbank —
on the 7th day of March A.D. 1831

Richard Crocheron Surrogate And thereupon it appearing to the said court, that the said will of the said deceased was duly executed according to law, and that the said testator who executed the same, was at the time of making such execution; of sound mind and memory and not under any restraint, it is ordered by the said court on due deliberation, that the said will together with the proof thereof be recorded, which proof is herein before recorded and contained, and that said will so ordered to be recorded is as follows. to wit:

In the Name of God. Amen
I Vincent Bodine of the town of Castleton in the County of Richmond and State of New York do hereby avow the enjoying the perfect use and exercise of my mental faculties, and a sound mind, memory and understanding, yet being apprehensive from my deceased state of body and alarming

Record of the Will of Vincent Bodine

State of New York 3, Be it remembered, that a Surrogate Court, held for the county of Richmond, at the surrogate office in the village of Richmond, on the tenth day of February, in the year of our Lord one thousand eight hundred and thirty one.

Present Richard Crocheron Surrogate.

In the proving the will of Real and Personal estate of Vincent Bodine late of Easttown in the county and State aforesaid, deceased. —

Isaac Burbank of Easttown in the said county an Executor named in the last will and Testament of the said Vincent Bodine deceased, made application to the said surrogate to have the said will of the said deceased proved, and set forth to the said Surrogate, that the heirs of the said deceased were his two infant children

Jacob & Vincent, minor, under the age of fourteen years and the said surrogate to appoint a Guardian for said infant, to take care of their interests in the premises, Jacob Burbank a substantial freeholder being present and consenting to be Guardian for said infants, it is ordered that he be appointed their Guardian, when a certificate of Guardianship of said infants, is duly issued to the said Jacob Burbank, and recorded in the office of the said Surrogate. Isaac Burbank the said named Executor being sworn saith, that there are no other heirs of the said deceased than said Jacob & Vincent his infant children, who are here represented by Jacob Burbank their Guardian, and request leave to proceed to prove the said will. Signed Isaac Burbank. Sworn and subscribed before the 10th day of February 1831. Rich Crocheron Surrogate.

Whereas, the said court being satisfied with the proof made in the premises, that there are no other heirs of the said deceased, than the said infants, whose guardian is here present to take care of their interest in the premises; it was therefore ordered, on reading and filing the above application and affidavit by the said court, that Isaac Burbank, the said named executor, have leave to proceed to prove the said will of the said deceased, and thereupon the said will being produced and shown to the said court.

State of New York. Richmond County, ss.

In the matter of proving the will of Real and Personal estate of Vincent Bodine late of Easttown in the county of Richmond and State of New York. deceased. Jacob Burbank and John W Burbank of the town and County aforesaid, being duly sworn separately and saith that they did see the said deceased, sign and seal the said instrument, now shown to them, purporting to be the last will and Testament of the said deceased, bearing date the thirteenth day of December, in the year of our Lord one thousand eight hundred and thirty, and heard him the said deceased publish and declare the same as, and for his last will and Testament, that at the time thereof, the said deceased was of sound disposing mind and memory, and not under any restraint, to the best of the knowledge and belief of these deponents, that they together with Col Richard Crocheron the other subscribing witness to the said will, subscribed their names thereto as witnesses, in the presence of the testator, at his request, and in the presence of each other, and further these deponents saith not.

Signed Jacob Burbank & John W Burbank Sworn and subscribed before me the 7th day of March A.D. 1831.

Richard Crocheron Surrogate. And thereupon it appearing to the said court, that the said will of the said deceased was duly executed according to law, and that the said testator who executed the same, was at the time of making such execution, of sound mind and memory and not under any restraint, it is ordered by the said court on due deliberation, that the said will together with the proof thereof be recorded, which proof is herein before recorded and contained in, and that said will be ordered to be recorded as follows. to wit:

In the Name of God. Amen I Vincent Bodine of the town of Easttown in the county of Richmond and State of New York do hereby certify that I am of the perfect use and exercise of my mental faculties, and a sound mind, memory and understanding, yet being apprehensive from my diseased state of body and alarming

Symptoms of the disorder with which I am afflicted, that my dissolution is fast approaching, and moreover deeply impressed with the necessity and importance of the injunction, to set our house in order before we die, do in the most solemn manner and strict conformity with my present desire; direct and order that the subsequent clauses be considered, regarded and observed as my last Will and Testament, Previous to the disposal of my worldly property it behoves me to invoke the divine benediction and its succour into the hands of Almighty God, my immortal spirit, - whenever in the course of his allwise and unerring providence he shall be pleased to summon it hence, beseeching his gracious acceptance thereof, only for the righteousness sake of the blessed Redeemer. My Body I request may be committed to the Earth in a decent and christian like manner as my Executors and Executor shall be pleased to direct.

Imprimus, It is my Will and I do hereby order and direct that my Executors and Executor hereafter named or the survivor of them shall immediately after my decease proceed to call in and collect all the monies that shall then be found due to me from every person and persons whatsoever on Bond Note or book debt or otherwise howsoever, and without delay to settle and pay of all my secular and Testamentary charges, and all other just claims and demands in or against my estate.

Item, I give devise and bequeath unto my Wife Mary Ann, all my estate both Real and Personal; Except so much thereof as will pay all my just debt and funeral expenses of which I may be supposed at the time of my death to be held and enjoyed by my said Wife for her subsistence and support and the bringing up and education of my children during her natural life. But should it so happen that previous to that time my said Wife shall have ceased to be my Widow by remarrying, from the time of such remarriage my said Wife shall cease to have any part or share of my said estate. - Item, I do hereby authorize and empower my Executor and Executor hereafter named or the survivor of them to sell all or any Part of

my Real and personal estate, whosoever they can get a price they shall judge to be the value thereof and to put the monies arising from such sale at use on good land and security - and to make use of the interest thereof for the subsistence of my said Wife, and the subsistence and education of my children, and if such interest shall be insufficient for their subsistence and education, then and in such case to make use of so much of the principal as shall be necessary for such purpose.

Item, I give devise and bequeath unto my children, namely, Jacob, Vincent, and such other child as shall be born before or after my decease, all that shall remain of my estate, after the decease or remarriage of my said Wife, share and share alike; To be paid my said children, when they shall arrive at - lawful age, - But in case all my children - should die without leaving lawful issue and under age, - then and in such case if my said Wife should also be dead or married, I give devise and bequeath what shall then remain of my estate both Real and personal as follows, viz. To the heirs of my Brother John Bodine one third. To the heirs of my sister Mary Britton (wife of Nathan Britton) one third, and the remaining one third to the heirs of my Father in law Isaac Burbank share and share alike.

Lastly, I do hereby nominate, constitute authorize and appoint my Wife Mary Ann, to be the Executor, and my Father in law Isaac Burbank to be the Executor of this my last Will and Testament, hereby revoking dissolving & disallowing all Wills and Testaments by me at any time heretofore made, ratifying allowing and confirming this only to be my last Will and Testament.

In Testimony Whereof, I have hereunto set my hand and seal, the thirtieth day of December, in the year of our Lord one thousand eight hundred & thirty.

Vincent D. Bodine

Signed, Sealed, Published, pronounced and declared by the said Vincent Bodine as and for his last Will and Testament, in the presence of

us who have signed our names as witnesses thereto, at the request and in the presence of the said Testator and also in the presence of each other.

Jacob Burbank, of the Town of Castleton, Yeoman
John W. Burbank of the Town of Castleton Yeoman
Richard Conner, of the Town of Castleton, Yeoman.

State of New York,
Richmond County. } ss. Be it remembered that at a Surrogate Court held in and for the aforesaid county, at the Surrogate office in the Village of Richmond, on the seventh day of March A. D. 1831. before Richard Crocheron Surrogate of the said county, the last Will and Testament of Vincent V. Bodine late deceased, was admitted to probate, after being duly proved, (which proof together with the Will is herein before recorded,

Whereupon it was ordered that Letters Testamentary thereon be granted to Mary Ann Bodine and Isaac Burbank, the Executrix and Executor, in the said Will named, after the expiration of thirty days, from the time of taking the proof aforesaid, on their taking and subscribing the Oath of office prescribed by law.

Be it also remembered that on the second day of May A. D. 1831. personally appeared before me Isaac Burbank Executor and Mary Ann Bodine Executrix in the aforesaid Will named, and were duly sworn to the faithful performance and execution thereof by taking the usual Oath in such cases provided.

Whereupon Letters Testamentary was duly issued under the seal of office of the said Surrogate, to the said Executor & Executrix of the last Will & Testament of the said deceased.

Richard Crocheron Surrogate

Record of the Will of David D. Burger
State of New York } ss. Be it remembered, that
Richmond County. } a Surrogate Court, held
for the county of Richmond, in the town of Castleton at the late dwelling house of David D. Burger deceased, on the seventh day of March, in the year of our Lord one thousand eight hundred and thirty one.

In the matter of proving the Will of Real and Personal estate of David D. Burger late of Castleton in the county and State aforesaid, deceased.

Present Richard Crocheron Surrogate
Mary Jane Burger, Executrix named in the last Will and Testament of the said deceased, appeared and informed the said court that notice had been given pursuant to the statute in such case made and provided, of her intention of proving the last will and Testament of the said David D. Burger deceased, and the said Jane Burger brought into this court a notice of her intention to prove the said Will, signed by the said Jane Burger the acting Executrix of the said Will, with the affidavit of David D. Burger, proving the due service of said notice upon all the heirs and devisees that were to be found, and that there are no other heirs of the said deceased than those named in the said notice, which said notice and affidavit are as follows, to wit.

State of New York, Richmond County. ss.

To David D. Burger, Elias Burger & William Burger, heirs of David D. Burger late of Castleton in the said county deceased, to Jacob Birninger Guardian of Nicholas, Jane Ellen, Mary S. Samuel and Phoebe Jenkins Burger, Minor heirs of the said deceased, and all others whom this notice may concern. — You and each of you, are hereby required to take notice that I shall apply to Richard Crocheron Surrogate of the said county of Richmond, at the dwelling house of the late deceased, in the town and county aforesaid, on the 7th day of April A. D. 1831. three o'clock in the afternoon, to have the last Will and Testament of the said deceased proved and recorded.

pursuant to Chapter Sixth, title first, article first part second, of the revised Statutes of the State of New York. Also the said Will at the said time Will be offered for probate before the said surrogate.
 Dated the 14th day of March A. D. 1831.

Signed Jane Burger Administrator
 Richmond County ss. David S. Burger being duly sworn, saith, that he personally served the within notice on Jacob Bininger, of the City of New York, - that Elian & William Burger are out of the State and the said notice could not be served on them.

And this deponent further saith, that there are no other heirs of the said David S. Burger deceased than those in the within notice named, and further this deponent saith, not. David S. Burger sworn before me the 7th day of April 1831. Rich^d Brocheron Surrogate.

Whereas the said Court being satisfied with the proof made in the premises, that due notice had been given according to law, of the intention to have the said Will of the said deceased proved, according to an act of the legislature of the State of New York, entitled an act concerning wills of Real and personal property, and the proof of them; It was therefore ordered, on reading and filing the above affidavit by the said Court, that Jane Burger the said Executrix have leave to proceed to prove the said Will of the said deceased, and thereupon the said Will being produced and shewn to the said Court.

State of New York, Richmond County, ss.
 In the matter of proving the Will of Real and Personal estate of David S. Burger late of Castleton in the County and State aforesaid deceased.
 Phoebe Jenkins, Mary Burger Mullany, and James R. M. Mullany all of Bergen County in the State of New Jersey, being duly sworn deponenth and saith that they did see the said deceased, sign and seal the said instrument now shewn to them, purporting to be the last Will and Testament of the said deceased bearing date the second day of February in the year of our Lord one thousand eight hundred & thirty one; And heard him the said deceased

publish and declare the same as and for his last Will and Testament, that at the time thereof the said deceased was of sound disposing mind and memory, and not under any restraint, to the best of the knowledge and belief of these deponents, that they each and severally subscribed their names thereto as witnesses, in the presence of the testator and at his request, and in the presence of each other, and further these deponents saith not. Signed Phoebe Jenkins Mary Burger Mullany, James R. M. Mullany.

Sworn and subscribed the 7th day of April A. D. 1831. before me. Richard Brocheron Surrogate.

And thereupon it appearing to the said Court that the said Will of the said deceased was duly executed according to law, and that the said testator who executed the same, was at the time of making such execution of sound mind and memory and not under any restraint. It is ordered by the said Court, on due deliberation, that the said Will, together with the proof thereof be recorded, which said proof is herein before recorded and contained - and that the said Will so ordered to be recorded, is as follows, to wit.

In the Name of God. Amen.
 I David S. Burger of the Township of Castleton in the County of Richmond and State of New York. Gentlemen. Being in the enjoyment of a sound mind, memory, and understanding, deem it my duty, while I have strength and capacity, to order regulate and adjust and dispose of my Temporal concerns, in such manner as shall clearly express my good Will and pleasure, respecting the distribution of my worldly property after my decease, and effectually prevent all doubts and disputes and difficulties relating thereto.

Under these impressions, I order and direct, that the subsequent clauses, shall be considered, observed, and regarded, as constituting my last Will and Testament. Imprimus. I Will, order, and direct, that my Executors hereinafter named, or the Survivor or Survivors of them, shall as soon as they shall have severally assumed the right of acting in that capacity, make it a primary object of their

attention to settle, adjust and manage my worldly affairs in the following manner, that is to say. - I Will and bequeath, to my beloved wife Jane, all my Real and personal estate during her natural life, and at her death my whole property hereby bequeathed, to be equally divided between my four youngest children viz: my three daughters Jane, Mary, and Phoebe Jenkins, and my son Samuel. - Finally I hereby nominate constitute and appoint my beloved wife Jane the Executrix, and Jacob Bininger, & Anthony Winans my Executors of this my last Will and Testament.

In Witness Whereof, I the said David D. Burger have hereunto subscribed my name and affixed my seal the second day of February in the year of our Lord one thousand eight hundred and thirty one.

Signed sealed and declared in presence of — David D. Burger

Phoebe Jenkins

Mary Burger Mullany

James H. Mullany

State of New York, Richmond County

Be it remembered that a Surrogate Court held in the town of Castleton in the said County at the late dwelling house of David D. Burger deceased, on the seventh day of March 1831. before Richard Crocheron Surrogate of the said County, the last Will and Testament of the said David Burger late deceased was admitted to probate, after having been duly proved, (which proof together with the will is herein before recorded). Whereupon it is ordered by the said Surrogate that letters Testamentary thereon be granted to Jane Burger the Executrix, and to Jacob Bininger & Anthony Winans the Executors in the said Will named after the expiration of thirty days from the time of taking the proof aforesaid. Richard Crocheron Surrogate

Richmond County for Be it also remembered that on the twentieth day of May in the year of our Lord one thousand eight hundred and thirty one, personally appeared before me Wm. J. H. Crocheron

in the aforesaid Will named, and was duly sworn to the faithful performance and execution thereof by taking the usual oath in such cases provided. Whereupon letters Testamentary was duly issued to the said executrix on the estate of the said deceased.

Richard Crocheron Surrogate

5m. Record of the Will of Jacob Winant

State of New York — Be it remembered that a Surrogate Court, held for the County of Richmond, at the Surrogate office in the village of Richmond, on the seventh day of April in the year of our Lord one thousand eight hundred and thirty one. Present Richard Crocheron Surrogate. — In the matter of proving the Will of Real and Personal estate of Jacob Winant late of Northfield in the County of Richmond, deceased. Richard Crocheron, acting executor of the last Will and Testament of the said deceased, and presented his petition to the said Surrogate, setting forth that the said Jacob Winant deceased, died on or about the 6th day of April in the said County, leaving a last Will and Testament, that he the said deceased did therein appoint your Petitioner, together with his son Jacob Winant just a minor under twenty years of age, Executors of his said last Will and Testament, that your Petitioner being desirous that the said Will being admitted to probate and letters Testamentary thereon granted to your Petitioner, therefore pray a citation issuing out and under seal of this Court requiring Jane Winant widow, & Jacob Winant just son of the said deceased, personally to be and appear, when and where this Court may direct, to appear or support as they may so fit the probate of the said last Will and Testament. The matter set forth in the said petition being verified by the oath of the petitioner, It was ordered that citation issue to the said widow & next of kin to the said deceased.

leaved, requiring them to appear on the 23^d day of April Inst. at the surrogate office in the village of Richmond to oppose or support as they see fit the probate of the said will. Which citation was accordingly issued, and the said acting executor did also make application to the said surrogate to appoint a Guardian for the said minor & Jacob Winant just to take care of his interest in the premises whereupon it was ordered that Jacob Simonson of the town of Northfield be appointed Guardian of the said minor to take care of his interest in the premises. And a certificate of appointment was duly issued to the said Jacob Simonson.

At a Surrogate Court held the 23^d day of April, A.D. 1831, for the County of Richmond, at the surrogate office in the village of Richmond. Present, Richard Crocheron Surrogate. In the matter of proving the will of Real & personal estate of Jacob Winant dec'd. Frederick Crocheron the acting executor appeared and produced a notice to Jacob Simonson Guardian of said Winant, heir at law of the said deceased, of his intention to have the will of the said dec'd. proved this day before the said surrogate according to the revised Statutes of the State of New York; which said notice was dated the 7^d day of April Inst. and signed by the said Frederick Crocheron who testified under oath that he personally served the said notice on the said Jacob Winant on the said 7^d of April, and further testified that there are no other heirs at law than the said Jacob Winant just.

And also produced the citation to the widow and heirs of him, and made proof that he personally served the same the 12^d of April Inst.

Whereas the said Court being satisfied with the proof made in the premises, that due notice had been given according to law, of the intention to have the said will of the said deceased proved, according to an act of the Legislature of the State of New York, entitled an act concerning wills of real and personal property, and the proof of them, - It was thereupon ordered, on reading and filing the above mentioned affidavit, and filing said notice and citation by the said Court, that Frederick Crocheron acting executor, have leave to proceed to prove the said will of the

said deceased, and thereupon the said will of the said deceased being produced, and shewn to the said Court.

State of New York, Richmond County, ss.

Nicholas Dupuy, and Moses Hood of the town of Northfield in the County aforesaid being duly sworn depose and say, that they did see the said deceased sign and seal the said instrument now shewn to them, purporting to be the last will and testament of the said deceased, bearing date the second day of April in the year of our Lord one thousand eight hundred and thirty one, and heard him the said deceased publish and declare the same, as and for his last will and Testament, that at the time thereof the said deceased was of sound mind and memory, and not under any restraint, to the best knowledge and belief of these deponents, that they subscribed their names thereto as witnesses at his request and in the presence of the said testator, and in the presence of each other, signed Nicholas Dupuy & Moses Hood. — Sworn and subscribed the 23^d day of April 1831, before me Richard Crocheron surrogate.

State of New York, Richmond County, ss.

In the matter of proving the will of Real and personal estate of Jacob Winant late of Northfield, deceased. Richard Conner being duly sworn depose and say, that he did see the said deceased sign and seal the said instrument now shewn to him purporting to be the last will and testament of the said deceased, bearing date the second day of April, in the year of our Lord one thousand eight hundred and thirty one, and heard him the said deceased, publish and declare the same as and for his last will and Testament, that at the time thereof the said deceased, was of sound mind and memory, and not under any restraint, to the best knowledge and belief of this deponent, that he subscribed his name thereto as a witness at the request of the testator, in his presence and in the presence of Nicholas Dupuy and Moses Hood the other subscribing witnesses to the said will. — Signed Richard Conner. — Sworn and subscribed the 23^d day of April, A.D. 1831, before me Richard Crocheron Surrogate.

And thereupon it appearing to the said Court that the said will of the said deceased was duly

executed according to law, and that the said testator who executed the same, was at the time of making such execution of sound mind and memory, and not under any restraint; it is ordered by the said court, on due deliberation, that the said will, together with the proof thereof be recorded, which said proof is herein before recorded and contained, and that the will so ordered to be recorded is as follows, to wit.

In the name of God. Amen.

I Jacob Wisnant of the town of Northfield in the county of Richmond and State of New York, (carpenter) being very sick but having a sound disposing mind, memory and understanding, seriously contemplating the brevity and uncertainty of death, esteem it my indispensable duty while I have strength and capacity so to do, so to order, adjust, regulate and dispose of my temporal concerns and more especially the worldly property with which I am blessed in this world, as is consistent with my ideas of right, to the intent that my good will and pleasure relative to the distribution thereof may be clearly and precisely ascertained. And all doubt, dispute and difficulties respecting the same may be thereby effectually prevented, hinder their impressions. I order and direct that the subsequent clauses shall be considered respected and observed as constituting my last will and Testament. — *Improvisus.* I will order and direct that, immediately after my decease and interment my executors herein after named shall immediately proceed to call in and collect all the monies that shall then be owing due to me from every person and persons whomsoever, on Bond, note or Book account, or otherwise howsoever; and without delay to settle and pay off all my funeral and testamentary charges and all other just claims and demands, in upon or against my estate. — *Item* I give and devise unto

my eldest son Jacob the westernmost half part of the Farm I now reside on and the westernmost half part of my salt meadow, to have and to hold the said lot of upland and lot of salt meadow with the improvements thereon and every part thereof, together with the appurtenances thereto belonging to and for the use and behoof of my said son Jacob his heirs and assigns forever. — *Item.* I give and devise to my second son Freeman the Easternmost half part of the farm I now reside on, and the Easternmost half part of my salt meadow, to have and to hold the said lot of upland and lot of salt meadow and every part thereof, together with the appurtenances thereto belonging, to and for the use and behoof of my said son Freeman his heirs and assigns forever. — *Item.* I give and bequeath unto my son Jacob two hundred and fifty Dollars, and the remainder of my personal estate to be equally divided between my two sons, namely, Jacob & Freeman share and share alike, but in case my son Freeman should die under age and without lawful issue, then his share to go to my eldest son Jacob his heirs and assigns forever. — It is my will that my son Freeman be sent to school and to be educated and supported on said farm, until he shall be of sufficient age for to take a trade, and my Executors are hereby required to put him to learn some trade, — And it is my will and I do hereby order that Denny Decker may remain on said Farm in the present Mansion house and be supported from the income of the said Farm, for the space of eight years from and after my decease. Lastly I do hereby appoint constitute and authorize my said son Jacob and my friend Reuben Crocherson to be the executors of this my last will and testament, hereby revoking, annulling and disallowing all Wills and Testaments by me at any time heretofore made. Ratifying allowing and confirming this only to be my last will and Testament. — In Witness whereof I have hereunto set my hand and seal the second day of April in the year of our Lord one thousand eight hundred and thirty one.

Signed sealed published, pronounced and declared by the said Jacob Winant as and for his last will and Testament in the presence of us who have signed our names as witnesses at the request and in the presence of the said testator, and also in the presence of each other.

Moses Wood, Town of Northfield, Farmer.

Nicholas Dupuy of Northfield, Farmer.

Richard Corrier of The town of Castlebury, Common

State of New York, Richmond County.

Be it remembered that a Surrogate Court held at the Surrogate office in the Village of Richmond on the twenty third day of April A. D. 1835. Before Richard Crocheron Surrogate of the said County, the last Will and Testament of Jacob Winant late of Northfield deceased was admitted to probate after having been duly proved. (Which proofs together with the Will is herein before recorded.)

Whereupon it is ordered by the said Surrogate that letters testamentary thereon be granted to Reuben Crocheron one of the executor therein named after the expiration of thirty days from the time of taking the proof aforesaid, and to Jacob Winant and the other executor in the said Will named when he arrives to the age of twenty one years for taking and subscribing the oath of office prescribed by law.

Be it also remembered that on the twenty fourth day of May 1831. Personally appeared before me Reuben Crocheron one of the executors in the said Will named, and were duly sworn to the faithful performance and execution thereof by taking the usual oath in such cases provided, whereupon Letters Testamentary was duly issued under the seal of office of the said Surrogate to the said named Executor.

Jacob Winant Just. Esq. signed & sworn
as Executor March 27th 1837.
Richd. Crocheron Surrogate.

Richard Crocheron Surrogate

Record of the Will of Daniel Sammis

State of New York }
Richmond County } Be it remembered, that a Surrogate Court, held for the County

of Richmond, at the Surrogate office in the said County on the Sixth day of April in the year of our Lord one thousand eight hundred and thirty one. Present Richard Crocheron Surrogate, — In the matter of proving the Will of Real and Personal estate of Daniel Sammis late of the Town of Northfield in the County of Richmond deceased.

Whereas George E. Smith of the City of New York, Executor named in the last Will and Testament of the said deceased, appeared before the said Surrogate, and offered the said Will for Proof, notice of the intention of said named executor to have the said Will proved not being given to the heirs of said deceased, the proof was postponed until the heirs of the said deceased had such notice as required by the revised Statutes, and whereas the said Geo. E. Smith made it satisfactorily to appear to the said Court, that Stephen Sammis, Sarah E. Sammis, Charles A. Sammis and Mary E. Sammis were minors under twenty one years of age, and that it is necessary a Guardian should be appointed for them to take care of their interest in the premises. — It is therefore ordered by the said Surrogate that David Sammis of the City of New York be appointed Guardian of the said minors, respectively to take care of their interest in the premises. — Whereupon a certificate of his appointment was duly issued to the said David Sammis.

Be it also remembered, that a Surrogate Court held for the said County on the 29th day of April A. D. 1831. Present Richard Crocheron Surrogate. In the matter of proving the last Will and Testament of Daniel Sammis, deceased.

George E. Smith, Acting Executor of the said deceased, appeared and produced the following notice. In the Matter of proving the last Will and Testament of Daniel Sammis deceased. — To the Heirs at Law of the said deceased, late of Staten Island, County of Richmond and State of New York. — Notice is hereby given, That the undersigned Executor of the last Will and Testament of the said Daniel Sammis deceased, intends to apply to the Surrogate of the County

of Richmond at his office in the said county, on the 29th day of April Inst., at 12 o'clock, at noon of that day, to have the said last will and Testament of the said deceased, duly proved, before said surrogate. According to the Statute in such case made and provided, dated this 7th day of April 1831. Signed Geo. E. Smith Executor. — and said Executor produced the consent of David Sammis Guardian of the minor heirs at law of the aforesaid dec^d, and admission of due service of notice as follows. — In the matter of proving the last will and Testament of Daniel Sammis, deceased. — I thereby consent to become the Guardian of Stephen Sammis, Sarah E. Sammis, Charles A. Sammis and Mary E. Sammis, Minors and heirs at law of the said Daniel Sammis dec^d. Dated New York April 7th 1831. Signed David Sammis. — I thereby admit due service of notice for each of the above named minors of proving the said last will and Testament of Daniel Sammis deceased, before the surrogate of Richmond County on the twentieth ninth day of April Instant.

Dated April 7th 1831. Signed David Sammis. City of New York. John Curtis being duly sworn, saith that on the eighth day of April Inst., he this deponent served a copy of the within notice upon Sylvanus Sammis and Martha Rushman, and at the same time showed to them severally the original notice, and further saith not. Signed John Curtis. Suborn before me the 21st day of April 1831. Tho^s C. Pinkney Commissioner of Deeds.

Richmond County, ss. George E. Smith being duly sworn saith that on the eighth day of April 1831, he served a notice of which the within is a copy on David Sammis, and Richard H. Sammis and on the ninth of April aforesaid also served a like notice on Elbert P. Sammis, and deponent further saith he is acting Executor of the last will and Testament of Daniel Sammis dec^d named in the annexed notice, and that there are no heirs or devisees of said Daniel interested in his Real or personal estate, besides those mentioned in the within notice, and in the foregoing this Affidavit, and in the annexed admission, and further deponent saith not. Signed Geo. E. Smith. — Sworn the 29th April 1831. Before me

Richard Brotherton Surrogate —

Whereas the said Court being satisfied with the proof made in the premises, that due notice had been given according to law, of the intention to have the said will of the said deceased proved,

according to an Act of the Legislature of the State of New York, entitled an act concerning Wills of real and personal property, and the Proof of them. It was therefore ordered on the reading and filing the foregoing Affidavits by the said Court, that George E. Smith Esq^r the Acting Executor have leave to proceed to prove the said will of the said deceased, and thereupon the said will being produced and shown to the said Court:

State of New York, Richmond County, ss.

In the matter of proving the will of Real and personal estate of Daniel Sammis, late of the town of Northfield in the aforesaid county, dec^d.

C. S. Woodhull of the city of New York, Counsellor at law. Being duly sworn, deposes and saith, that he did see the said deceased, sign and seal the said instrument now shown to him, purporting to be the last will and Testament of the said deceased, bearing date the eighth day of July, in the year of our Lord one thousand eight hundred and thirty, and heard him, the said deceased, publish and declare the same as, and for his last will and Testament, that at the time thereof the said deceased was of sound disposing mind and memory, and not under any restraint, to the best knowledge and belief of this deponent, that he together with Mary Eliza Hayman, the other subscribing Witness to the said will, subscribed their names thereto as Witnesses in the presence of the Testator, at his request, and in the presence of each other, and further this deponent saith not.

Signed C. S. Woodhull — Sworn and subscribed the 29th day of April 1831. Before me Richard Brotherton Surrogate —

Richmond County, ss. George E. Smith being duly sworn saith that he has made diligent enquiry and caused diligent search to be made to ascertain the residence of Mary Eliza Hayman but has not been able to ascertain the same or find out any means by which he could cause her to attend the surrogate to prove the will within mentioned. — not having been able after diligent and faithful inquiry to ascertain or hear anything respecting her. — The said Mary Eliza being a subscribing Witness to the will within mentioned and referred to in the within Affidavit of Caleb S. Woodhull, and a further deponent saith not. Signed Geo. E. Smith.

Sworn this 29th day of April 1831. before me Rich^d Brotherton Surrogate and thereupon it appearing to the said Court that the said will of the said deceased was duly executed according to law, and that the said testator when executed the same, was at the time of making such execution, of sound mind and memory, and

not under any restraint; It is ordered by the said Court, on due deliberation, that the said Will together with the proof thereof be recorded, which said proof is herein before recorded and contained, and that the said Will so ordered to be recorded is as follows, to wit, *ff*

Know, all persons that I Daniel Sammis of the City of New York, being at present feeble in body, but of sound disposing mind and memory, and conscious of the uncertainty of life and desirous of making a suitable disposition of my worldly estate, have made and published and hereby do make and publish this my last Will and Testament in manner and form following, to wit.

Imprimis. — I will and direct that all my just debts and funeral expenses be paid out of my estate as soon as practicable after my decease.

Item. — I give and devise unto my wife Phoebe the one equal half of all my estate both real and personal of every description to be held and enjoyed by her in fee simple forever.

Item. — I give and devise all the rest, residue and remainder of my estate, both Real and personal unto my wife Phoebe to be enjoyed by her during her natural life, and after her decease, unto my Brother David and Silvanus, and the children of my deceased Brother Stephen and Nehemiah, to be divided between them in four equal parts, so that the children of Stephen and Nehemiah respectively shall have and take the one equal fourth part thereof.

And I hereby authorize and fully empower my Executors hereinafter named whenever it may to them seem best — and at any time during the life time of my wife, either at public or private sale as to them shall appear most advantageous to sell and dispose of all or any part or parts of my estate whether Real or Personal, which is herein given to my said wife during her natural life, and to make and execute good and sufficient titles and conveyances in the law for the same.

Item. — I hereby constitute and appoint my wife Phoebe, Executrix and my friend George E. Smith of the City of New York Executor to this my last Will and Testament, hereby authorizing and desiring them to execute and fulfill the same in all things, according to the true intent and meaning thereof.

In Witness Whereof I have hereto put my name

and seal this eighth day of July eighteen hundred and thirty.

Signed, Sealed, published and declared by the said Daniel Sammis to be his last Will and Testament, in the presence of us as Witnesses thereto.

Daniel Sammis *LS*

C. S. Woodhull, 174 Water Street New York

Mary Eliza Hayman 2250 Suffolk Street

State of New York } ss Be it remembered that a Surrogate
Richmond County } Court held in and for the said County
on the twenty ninth day of April in the year of our Lord one thousand eight hundred and thirty one, before Richard Crocheron Surrogate of the said County, the last Will and Testament of Daniel Sammis, late of Northfield deceased, was admitted to probate after having been duly proved, (which Will together with the proof is herein before recorded), — Whereupon it is ordered by the said Surrogate that letters testamentary thereon be granted to Phoebe Sammis the Executrix and to George E. Smith Executor therein named after the expiration of thirty days from the time of taking the oaths of office, in their taking and subscribing the oath of office prescribed by law Richard Crocheron Surrogate

Richmond County ss. Be it remembered that on the thirtieth day of May in the year of our Lord one thousand eight hundred and thirty one personally appeared before me Mr Phoebe Sammis, Executrix and George E. Smith Executor in the aforesaid Will named, and were duly sworn to the faithful performance and execution thereof by taking the usual oath in such cases provided, — Whereupon letters Testamentary was duly issued to the said Executrix and Executor under the seal of office of the said Surrogate.

Richard Crocheron Surrogate

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Record of the Will of Cornelius W. Johnson in State of New York } Richmond County }

Be it remembered that a surrogate court held for the County of Richmond at the Surrogate Office in the Village of Richmond on the 25th day of April 1831. Present Richard Crocheron Surrogate.

In the matter of proving the last Will and Testament of Cornelius W. Johnson late of the Town of Westfield deceased.

Whereas Laticia Johnson Executrix of the said Will being desirous to have the said Will proved, and recorded according to law in such cases provided. And whereas it has been made satisfactorily to appear that James Johnson, Catherine Jane Johnson and Elizabeth Johnson heirs at law of the said deceased are minors.

It is therefore ordered by the said Surrogate that Israel Oakley of Westfield in the County above said be appointed a Guardian of the said Minors to take care of their interest in the premises. Whereupon Letters of Guardianship was duly given by the said Surrogate to the said Israel Oakley for the purpose of taking care of the interest of the said minors in the proceedings to be had on the said Will of the said deceased.

And whereas, at a Surrogate court held at the Surrogate Office in the Village of Richmond the 16th day of May A. D. 1831. — Present Richard Crocheron Surrogate.

Laticia Johnson Executrix named in the last Will and Testament of Cornelius W. Johnson deceased appeared and produced the following notice.

On the matter of proving the last Will and Testament of Cornelius W. Johnson deceased. Please to take notice, That I intend to apply to the Surrogate of the County of Richmond, at his Office in the Village of Richmond at the 16th day of May Instant, at 10 o'clock in the forenoon, for the purpose of having the last Will and Testament of Cornelius W. Johnson late of Westfield in the County of Richmond deceased, proved. To Mary Slight, heir at law of said deceased. And to Israel Oakley, Guardian of James, Catherine Jane & Elizabeth Johnson — minors, and heirs at law of the said deceased.

Dated the twenty eighth day of April 1831.

Signia Laticia Johnson Executrix

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Richmond County, ss. Mrs Laticia Johnson being under sworn oath, that she served the foregoing notice on the persons therein named personally. And the said deponent further saith, that there are no other heirs at law of the said deceased than those named in the said notice, Signia Laticia Johnson Sworn before me the 16th day of May 1831. Rich^d Crocheron Surrogate.

Whereas the said court being satisfied with the proof made in the premises, that due notice had been given according to law, of the intention to have the said Will of the said deceased proved, according to the various Statutes of the State of New York concerning Wills of Real and personal property and the proof of them. It was therefore ordered, on reading and filing the above Affidavit by the said court, that Laticia Johnson Executrix as aforesaid, have leave to proceed to prove the said Will of the said deceased, and thereupon the said Will being produced and shown to the said court.

State of New York. Richmond County, ss.

In the matter of proving the last Will and Testament of Cornelius W. Johnson late of Westfield County of Richmond deceased Israel Oakley being duly sworn, deponeeth and saith that he did see the said deceased, sign and seal the said instrument, now shown to him, purporting to be the last Will and Testament of the said deceased, bearing date the twelfth day of January in the year of our Lord one thousand eight hundred and thirty one, and heard him the said deceased publish and declare the same as and for his last Will and Testament, that at the time thereof the said deceased was of sound disposing mind and memory, and not under any restraint to the best knowledge and belief of this deponent, that he together with James Winant and Gabriel Diposway the other subscribing witnesses to the said Will, subscribed their names thereto as witnesses at the request of the testator, in his presence and in the presence of each other, and further this deponent saith not.

Signia By Israel Oakley, — Sworn and subscribed the 16th day of May 1831. before me, Rich^d Crocheron Surrogate Richmond County, ss. — Mrs Laticia Johnson Executrix of the last Will and Testament of Cornelius W. Johnson late of Westfield deceased, being duly sworn, saith, that James Winant and Gabriel

Diposway two of the subscribing witnesses to the said Will of the said deceased is out of the said County from the best information of this deponent and which this deponent verily believes, and that the said James and Gabriel cannot be had to attend the proof of the said Will, signed by Laticia Johnson, — Sworn and Subscribed the 16th day of May 1831. before me Richard Crocheron Surrogate.

And thereupon it appearing to the said Court that the said Will of the said deceased was duly executed according to law, and that the said testator who executed the same, was at the time of making such execution, of sound mind and memory and not under any restraint, it is ordered by the said Court, on due deliberation, that the said Will, together with the proof thereof be recorded, which said proof is herein before recorded and contained, and that the said Will so ordered to be recorded is as follows. to wit.

In the Name of God. Amen.

I Cornelius W. Johnson of the town of Westfield in the County of Richmond and State of New York, being of sound mind and memory, Blessed be Almighty God for the same, do make this my last Will and Testament in manner and form following. Viz. — First, I will my soul to God who gave it, and my body to the earth to be buried in a Christian like manner by my Executrix.

I then order my Executrix to pay my just debts and funeral charges, — Then I give unto my beloved Mother Laticia Johnson all my estate both Real and personal that are now in my possession and that would if come in my possession from any other source whatsoever. — Lastly, I nominate constitute and appoint my Mother Laticia Johnson my sole Executrix to my last Will and Testament, hereby revoking all former Wills by me made. — In Witness Whereof, I have here-

unto set my hand and seal this twelfth day of January, one thousand eight hundred and thirty one.

Signed, sealed, and published and delivered, pronounced and declared by the said Cornelius W. Johnson to be his last Will and Testament, in the presence of us who have hereunto subscribed our names as witnesses.

Israel Oakley, James J. Winant, Gabriel Diposway,

State of New York — Be it remembered that at a Surrogate Court held in and for the said County of Richmond, on the 16th day of May, A.D. 1831. before Richard Crocheron Surrogate of the said County, the last Will and Testament of Cornelius W. Johnson late of Westfield in the said County deceased, was admitted to probate after having been duly proved, which Will together with the proof thereof wherein before recorded, whereupon it is ordered by the said Surrogate that letters Testamentary thereon be granted to Mrs. Laticia Johnson the Executrix therein named, after the expiration of thirty days from the time of taking the proof aforesaid, on her taking and subscribing the oath of office prescribed by law.

Richard Crocheron, Surrogate Richmond County, N.Y. Be it remembered that on the fifteenth day of August in the year of our Lord one thousand eight hundred and thirty one, personally appeared before me Mrs. Laticia Johnson Executrix named in the last Will and Testament of the aforesaid Cornelius W. Johnson deceased, and were duly sworn to the faithful performance and execution thereof, by taking the usual oath in such cases provided.

Whereupon letters Testamentary was duly issued to the said Laticia Johnson the aforesaid executrix, under the seal of office of the said Surrogate.

Richard Crocheron Surrogate