

Record of the Will of Thomas Butler dec.
State of New York, Richmond County, ss.

Be it remembered that a Surrogate's Court held for the County of Richmond, at the Surrogate's office in the said County, the sixth day of June, in the Year of Our Lord, one thousand eight hundred and thirty three before Richard Crocheron, Surrogate of the said County.

In the matter of proving the last Will and Testament of Thomas Butler late of Westfield in the County of Richmond and State of New York, deceased.

Whereas, John M. Butler executor and devisee of the said deceased, appeared and presented his petition to the said Surrogate. - Setting forth, that the said deceased departed this life on or about the thirtieth day of May last past, having previously made and published his last Will and Testament in which he devised his Real and Personal estate, that in and by the said Will he appointed Benjamin Soline and your petitioner the executor thereof, also in the said Will made him the said petitioner the residuary legatee; - That the next of kin to the said deceased, are Nathaniel Dubois and Frances his Wife, Thomas and Catherine Bartee, Thomas B. Goodington David Goodington and your petitioner all minors except the first named; that the said petitioner being advised that the said Will should be proved and recorded, also admitted to probate and Letters Testamentary thereon granted to the executor therein named, and prays that the Surrogate would cause proceedings in the premises accordingly. - Upon the above petition an Order was made, and entered in the Book of Minutes, that citation issue to the next of kin to the said deceased to appear and attend the probate of the said Will before the said Surrogate at his office in the Village of Richmond on the twentieth month day of June instant at the hour of three o'clock, in the afternoon.

And whereas, the said John M. Butler, as is alleged intends to make Application to the said Surrogate, to have the said Will proved and recorded, pursuant to the revised Statutes of the State of New

York, Chapter Sixth, title first, Article first, part second, and whereas it has been made satisfactorily to appear, that Thomas and Catherine Bartee, Thomas B. & David Goodington and the said John M. Butler heirs at law of the said deceased are minors, - An Order was made and entered by the said Surrogate that Thomas Butler of the Town and County aforesaid be appointed Guardian for Thomas and Catherine Bartee and for the said John M. Butler. - And that Samuel Goodington of the City of New York be appointed Guardian of Thomas B. Goodington & David Goodington for the sole purpose of appearing for and taking care of their interests in the premises.

The People of the State of New York

To Thomas J. Butler, of the Town of Westfield in the County of Richmond. Greeting.

Whereas John M. Butler, a legatee named in the last Will and Testament of Thomas Butler late of the Town of Westfield in the County of Richmond and State of New York, deceased, as is alleged, intends to make Application to Richard Crocheron, Surrogate of our said County of Richmond, to have the said Will proved before our said Surrogate, and recorded pursuant to the revised Statutes of the State of New York, Chapter Sixth, title first, Article first, part second, - and whereas, it has been made satisfactorily to appear, that the above named John M. Butler, and Thomas and Catherine Bartee, heirs at law of the said Thomas Butler deceased, are minors, - I therefore the Surrogate aforesaid, pursuant to the power in me vested by the said revised Statutes, in pursuance of the Order of my Court before made and entered, do hereby appoint you the said Thomas J. Butler, Guardian for the said minors, to take care of their interests in the premises. - Given under the hand and Seal of office of the said Surrogate, the sixth day of June one thousand eight hundred and thirty three.

Rich^d Crocheron Surrogate

The People of the State of New York

To Samuel Goodington of the City and County of New York. Greeting.

Whereas, John M. Butler, a legatee named in the last Will and Testament of Thomas Butler late of Westfield in the County of Richmond & State of New York, deceased, as is alleged, intends to make Application to Richard Crocheron Surrogate of our said County of Richmond, to have the said Will proved before our said Surrogate, and recorded

pursuant to the revised Statutes of the State of New York, Chapter sixth, title first, article first, Part second and whereas it has been made satisfactorily to appear that Thomas B Goodington and David Goodington heirs of the said Thomas Butler deceased are minors. Therefore the said Surrogate, aforesaid, pursuant to the power in me vested by the said revised Statutes, in pursuance of an order of my Court, before made and entered, do hereby appoint upon the said Samuel Goodington, Guardian for the said Minors, to take care of their interests in the premises. — Given under the hand and seal of office of the said Surrogate at the Surrogate office in the said County, the sixth day of June, One thousand eight hundred and thirty three.

Richard Crockeron, Surrogate

Be it also remembered, that at a Surrogate Court held the twenty ninth day of June instant, in said County, present, Richard Crockeron, Surrogate, appeared John M Butler the aforesaid Legatee and heir at law of the said Thomas Butler deceased, and his Guardian Thomas J Butler, and returned the citation heretofore issued by the said Surrogate to the widow and next of kin to the said deceased, to attend this day to the probate of the will of said deceased, and a certificate of its publication. as follows.

The People of the State of New York.

To the Widow and next of kin of Thomas Butler, late of Westfield in the County of Richmond greeting. — You are hereby cited to be and appear before the Surrogate of the County of Richmond, at his office in the Village of Richmond, in said County, on the twenty ninth day of June instant, at three of the clock in the afternoon of the same day, to attend to a certain instrument in writing purporting to be the last will and Testament of Thomas Butler, late of said County deceased, which will then and there be offered for that purpose. — In witness Whereof, the Surrogate of the said County hath hereunto affixed his seal of office the sixth day of June, One thousand eight hundred and thirty three.

Richard Crockeron, Surrogate

State of New York. City and County of New York.

William Hagadorn, of the City of New York, being duly sworn, deposes and says that he is the Printer and publisher of the Richmond County free press, and that the advertisement a copy of which is herewith affixed, has been regularly inserted in said paper for three weeks successively, beginning on the eighth day of June 1833. Wm Hagadorn, affirmed before me this ninth day of July 1833. G. Deale Commissioner of Socors.

The aforesaid John M Butler, also produced a notice to the heirs of the intention of offering the said will for proof and return this day and made affidavit of its due service as follows.

In the matter of proving the last will and Testament of Thomas Butler deceased.

To Nathaniel Dubois and Sarah his wife, James & Catherine Dubois through their guardian Thomas J Butler, and to Thomas B and David Goodington, through their guardian Saml Goodington. Be it to take notice, that I intend to apply to the Surrogate of the County of Richmond at his office in the Village of Richmond, on the twenty ninth day of June instant, at three o'clock in the afternoon for the purpose of having the last will and Testament of Thomas Butler late of Westfield Richmond County, deceased, proved. — Dated the 6th day of June 1833.

John M Butler through his Guardian Thomas J Butler Richmond County, for John Butler the within married legatee being sworn, saith, that he personally served the within notice on the within married heirs of Thomas Butler deceased on or before the tenth day of June instant, — and further saith, that there are no other heirs of the said deceased, than those named in the said within notice. — John Butler

Sworn the 29th day of June 1833. before me, Richd Crockeron Surrogate

The said John M Butler also produced the consent of Samuel Goodington to become the Guardian of Thomas B and David Goodington, and his admission of due service of notice of the proof of said will this day, as follows.

In the matter of proving the last will and Testament of Thomas Butler deceased.

I hereby consent to become the guardian of Thomas B Goodington and David Goodington, Minors and heirs at law of the said Thomas Butler deceased. — Dated New York June 7th 1833. S Goodington.

I hereby admit due service of notice for each of the

(5)
above named Marion, of proving the said last will and Testament of Thomas Butler deceased, before the Surrogate of the County of Richmond on the 29th day of June instant. — Dated June 7. 1833. S. Cosmington

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 foregoing affidavit of serving citation on next of kin; Notice to heirs and affidavit and admission of its due service and filing the same; leave was given to the said John M. Butler to proceed in the proof of the will of the said Thomas Butler deceased.

State of New York, Richmond County, ss.

In the matter of proving the last will and Testament of Thomas Butler late of the Town of Westfield in the County of Richmond deceased.

William Shea and Latitia Decker of the Town and County of Westfield being duly sworn, depose and swear, 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 sixteenth day of March in the year of our Lord one thousand eight hundred and thirty three, 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 these deponents, that they the said deponents together with Catherine Warrant the other subscribing witness 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. Signed Wm Shea, Latitia Decker. Sworn the 29th day of June A. D. 1833. before me Rich^d Crockeron, Surrogate.

And thereupon it appearing to the said surrogate that the said will of the said deceased was duly executed according to law, that the said testator who ex-

(6)
cuted the same, was at the time of making such execution of sound mind and memory and not under any restraint. — It is ordered 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 Thomas Butler of the Town of Westfield Richmond County and State of New York considering the uncertainty of this mortal life and that it is doomed that all men once must die do make and publish as my last will and Testament in manner and form following (to wit) First I order all my just debts and Funeral Charges to be paid as soon as convenient for my Executors, after my decease; Then I give and bequeath unto my two Grand Children, namely, Thomas and Catherine Butler the Children of my daughter Ann, the sum of one hundred Dollars each to be paid to them when they arrive at the age of twenty one years, but in case either of them should die before they arrive at age without lawful issue, I then give his or her share to the survivor of them or his or her heirs; — I then give and bequeath unto my Daughter Frances, Wife of Nathaniel Dubois the interest of six hundred dollars to be paid unto her yearly and every year during her natural life — to be secured and paid out of my Real and Personal Estate — I then give and Bequeath unto my son John Butler the residue and remainder of all my Estate Both Real and Personal, by his paying the aforesaid legacies as herein ordered, to him his heirs and assigns forever.

And lastly I constitute and appoint my said son John Butler and Benjamin Joline of Westfield Staten Island Sole Executors of this my last will and Testament hereby revoking and making null all former wills by me made.

In Testimony whereof I have hereunto set my hand and seal this sixteenth day of March in the Year of our Lord one thousand eight hundred and thirty three. —

Published pronounced and declared by the said Thomas Butler as his last will and Testament in the presence of us witnesses hereby

William Shea of Westfield
Catherine Warrant of Westfield
Latitia Decker of Westfield

Thomas Butler

State of New York. Richmond County, ss:

Be it remembered, that a surrogate's Court held in and for the county of Richmond at the surrogate office in said County, on the twenty ninth day of June, one thousand eight hundred and thirty three before Richard Crocheron surrogate of the said County the last will and Testament of Thomas Butler late of the said County died (of which the foregoing is a copy) was admitted to probate after a citation to the widow and next of kin to the said deceased, issued, served, returned and filed according to law, whereupon at the place and on the day aforesaid William Shea and Latitia Decker two of the subscribing witnesses to the said will, after having been duly sworn by the said surrogate, testified that they did see the said deceased sign and seal the said instrument, and heard him 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 restraint, and that they subscribed the said instrument as witnesses at the request of the testator and in his presence: - Whereupon I the surrogate upon the proof aforesaid, being satisfied of the genuineness and validity of the said will, ^{proved and proved in will} be admitted to probate, and that letters Testamentary thereon be granted to John Butler and Benjamin Joline the executors in the said will named, after the expiration of thirty days, from the time of taking the proof aforesaid, in their taking and subscribing the oath of office, prescribed by law.

In testimony whereof, I the surrogate aforesaid have hereunto affixed my official seal, this twenty second day of July, in the year of our Lord, one thousand eight hundred and thirty three. Rich^d Crocheron, Surrogate.
Be it also remembered, that on the twenty ninth day of July one thousand eight hundred and thirty three, personally appeared before me Benjamin Joline an executor of the last will and Testament of Thomas Butler dec^d, and was duly sworn to the faithful performance & execution thereof, by taking the usual oath in such cases prescribed. John Butler the other executor named in said will, also appeared, not being twenty one year of age was not sworn in office.

Record of the Will of John Guyon of Southfield, dec^d.

State of New York. Richmond County, ss.

Be it remembered that a Surrogate's Court held for the County of Richmond at the Surrogate's office in the said County, the first day of July in the year of our Lord one thousand eight hundred and thirty three, before Richard Crocheron, Surrogate of the said County,

In the matter of proving the last Will and Testament of John Guyon late of the Town of Southfield in the County of Richmond and State of New York. deceased.

Joseph Sequine, Esquire, the Acting executor of the said deceased appeared, and produced a certain instrument in writing purporting to be the last Will and Testament of the said deceased for proof and record, also for probate; and the said Acting executor also produced a notice to the heirs at law of the said deceased of his intention of offering the said Will for proof this day, which said notice was certified to have been duly served on said heirs, and Affidavit made before the said Surrogate that all the heirs of the said deceased are named in said notice, which said notice, service and Affidavit is as follows.

State of New York Richmond County

In the matter of proving the last Will and Testament of John Guyon dec^d?

To James Guyon, Hermanus Guyon, Stephen Sequine and Margaret his wife, Abraham S. Fountain and Mary his wife, James E. Perine and Edward M. Perine

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 on the first day of July next at three o'clock in the afternoon, for the purpose of having the last Will and Testament of John Guyon late of Southfield in the County of Richmond ^{proved} and approved.

Dated the tenth day of June. 1833. Joseph Sequine Ex^r.
I do hereby certify that the within notice is served. June 13th 1833. Isaac Britton.

Richmond County, ss. Joseph Sequine Acting executor of the last Will and Testament of John Guyon deceased, being sworn saith, that all the heirs at law of the said deceased upon whom notice have been returned served, are named in the notice hereto annexed, and that there are no other heirs at law to his knowledge, and further saith not. Test. Sequine

Sworn the first day of July, 1833. before me Rich^d Crockeron, Surrogate.
 Whereupon 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 revised Statutes of the State of New York, concerning Wills of Real and personal property and the proof of them. — It was then fore ordered on receiving and filing the said notice and Affidavit by the said Courts, that the said Joseph Seguire have leave to prove the said Will, of the said John Guyon 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 John Guyon late of the Town of Southfield in the County of Richmond, dec^d.
 Joseph Seguire, of Southfield, Robert Seguire and Washington Ritter of Southfield in the County of Richmond, being duly sworn, deposeth 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 eleventh day of May, one thousand eight hundred and thirty three, and heard him the said deceased publish and declare the same to 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 the said deponents each and severally subscribed their names to the said Will as witnesses, at the request of the testator, in his presence and in the presence of each other, and further that deponents saith not. Signed. Joseph Seguire, Washington Ritter. Robert Seguire. — Sworn the first day of July, A. D. 1833. before me, Rich^d 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 restraint. — It is ordered by the said Court on due delibera-

tion, 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 do stand to be recorded, is as follows, to wit.

In the Name of God. Amen. I John Guyon of the County of Richmond State of New York being in a low state of health but in my perfect mind sense and memory, do make and publish this my last will and Testament in manner and form as follows — Item — I give and bequeath to my wife Catharine Guyon the use of all my Estate both Real and Personal during her life, and after her death I dispose of it in the following manner — Item — I give and bequeath to my Brother Hermanus Guyon's Children one thousand Dollars to be equally divided among them — Item — I give and bequeath to my Sister Mary Dountains Children one thousand Dollars to be equally divided among them all — Item — I give and bequeath to my Sister Margaret Seguire's Child named Stephen Seguire three hundred Dollars — Item — I give and bequeath to my niece Margot Seguire's two Children, named James Seguire and Joseph Seguire two hundred and fifty Dollars each. Item — I give and bequeath to my Brother-in-law, James Seguire and Henry Steward Seguire all the residue and remainder of my Estate both Real and Personal to them and their heirs and assigns forever to be equally divided between them. — I do order authorize and direct my Executors, after the death of my wife to sell all my Estate both Real and Personal, whenever they may think proper to the best advantage, and when sold to pay out all the legacies as above stated. — I do hereby nominate and appoint my Brother Hermanus Guyon, my Brother-in-law James Seguire and my wife's Uncle Joseph Seguire — my Executors to this my last Will and Testament — Given under my hand and seal the Eleventh day of May, one thousand eight hundred and thirty three. ~ ~

Signed sealed and published by the Testator to be his last will and Testament in the presence of us who have subscribed our names as witnesses in the presence of each other and by request of the Testator. — Joseph Seguire of Southfield Robert Seguire of Southfield Washington Ritter of Southfield John Guyon

State of New York. Richmond County, ss.

Be it remembered, that a Surrogate's Court, held for the County of Richmond, at the Surrogate's office in the said County, on the first day of July, in the year of our Lord one thousand eight hundred and thirty three, before Richard Crocheron Surrogate of the said County, the last Will and Testament of John Guyon late of the said County deceased, (of which the foregoing is a copy) was admitted to probate, after a Notice to the heirs and next of kin to the said deceased, issued, served, returned and filed according to law. — Whereupon at the place and on the day aforesaid, Joseph Seguin, Robert Seguin and Washington Rutter, the subscribing Witnesses to the said Will, after having been duly sworn by the said Surrogate, testified that they did see the said deceased, sign and seal the said instrument, and heard him 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 restraint, and that they each and severally subscribed their names to the said Will as Witnesses, at the request of the testator and in his presence. — Whereupon the Surrogate upon the proof aforesaid, being satisfied of the genuineness and validity of the said Will, Order that the said Will be admitted to probate, and that Letters testamentary thereon be granted to Harmanus Guyon, James Seguin and Joseph Seguin 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.

In Witness whereof the said Surrogate hath hereunto affixed his official seal the 22^d day of July A.D. 1833. Richard Crocheron Surrogate

Be it also remembered, that on the fifteenth day of August one thousand eight hundred and thirty three, personally appeared before me Harmanus Guyon and James Seguin two of the executors named in the Will of John Guyon and were duly sworn, to the faithful performance and execution thereof, by taking the usual oath in such cases required.

Richard Crocheron Surrogate

12
Record of the Will of Henry S. Putan late of Westfield and State of New York. Richmond County, ss.

Be it remembered that a Surrogate's Court held for the County of Richmond at the Surrogate's office in the said County, the seventh day of August in the year of our Lord one thousand eight hundred and thirty three, — Present, Richard Crocheron Surrogate.

In the matter of proving the last Will and Testament of Henry S. Putan late of the Town of Westfield in the County of Richmond and State of New York, deceased.

Whereas on the said seventh day of August William Shea acting executor of the said deceased appeared and produced an instrument in writing, purporting to be the last Will and Testament of Henry S. Putan for proof and record, and for probate, and the said acting executor set forth, that all the heirs at law of the said deceased are minors, to wit, William Henry, James Madison, Mary Jane and Melancton Freeman Putan, — Whereupon an Order was made and entered by the said Surrogate, that Bornt P. Whinnit of the Town and County aforesaid, be appointed guardian for the above named minors, for the sole purpose of appearing for, and taking care of their interests in the premises.

The People of the State of New York.

To Bornt P. Whinnit of the Town of Westfield in the County of Richmond, Greeting.

Whereas William Shea one of the executors named in the last Will and Testament of Henry S. Putan late of the Town of Westfield, in the County of Richmond and State of New York, deceased, as is alleged intends to make application to Richard Crocheron Surrogate of our said County of Richmond, to have the said Will proved before our said Surrogate and recorded, pursuant to the revised statutes of the State of New York, chapter sixth, title first, article first, part second, — and whereas it has been made satisfactorily to appear, that William Henry, James Madison, Mary Jane and Melancton Freeman Putan heirs at law of the said Henry S. Putan deceased are minors. — Therefore the Surrogate aforesaid, pursuant to the power in me vested by the said revised statutes, in pursuance of an Order of my Court before made and entered, do hereby appoint you the said Bornt P. Whinnit Guardian for the said minors, to take care of their interests in the premises.

Given under the hand and seal of office of the said Surrogate, the seventh day of August, One thousand eight hundred and thirty three. — Rich^d. Crocheron, Surrogate.

Be it also remembered that at a Surrogate's Court held the twenty fourth day of August, instant, at the Surrogate Office in said County, Present Rich^d. Crocheron Surrogate, appeared William Shea the Acting executor aforesaid, of the last Will and Testament of the said Henry S. Putan deceased, and produced a notice to the Widow and heirs at law of the said deceased of his intention of offering the will of said deceased for — proof this day, and made Affidavit of the due serving said notice, which notice and Affidavit is as follows.

State of New York, Richmond County, ss.

In the matter of proving the Will of Henry S. Putan, late of Westfield, Richmond County, and To Rachel Putan widow of said deceased, and To William Henry, James Madison, Mary Jane and Melancton Freeman Putan, Minors, heirs at law of the said deceased by their Guardian Bornt P. Winant. — 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 on the twenty fourth day of August instant, at the hour of three o'clock in the afternoon, for the purpose of having the last Will and Testament of Henry S. Putan late deceased proved. — Dated the 7th day of August A. D. 1833. — William Shea Executor.

State of New York, Richmond County, ss.

William Shea of Westfield in the said County of Richmond Acting executor of Henry S. Putan deceased, being sworn and saith, that he personally served the within notice on Rachel Putan the widow, William Henry, James Madison, Mary Jane and Melancton Freeman Putan, children and heirs at law of said Henry S. Putan, through their Guardian Bornt P. Winant, on the eighth day of August instant. — And said deponent further saith, there are no other heirs of said deceased than those named on said within notice. — William Shea. — Sworn the 24th day of August 1833. before me, Richard Crocheron, Surrogate.

Whereupon the said Court being satisfied with the proof made in the premises, that due notice had been

given according to law, of the intention of having the said Will of the said deceased proved according to the revised 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 said notice and Affidavit by the said Court, that the said William Shea, have leave to proceed to prove the said Will of the said Henry S. Putan deceased. — State of New York, Richmond County, ss. In the matter of proving the last Will and Testament of Henry S. Putan, late of Westfield, Richmond County, deceased.

John Spragg and Ann Spragg, of Westfield in the said County of Richmond, being duly sworn, saith, that they did see the said deceased, sign and seal the instrument now shown to them, purporting to be the last Will and Testament of the said deceased, bearing date the twenty fourth day of ~~June~~ January, in the Year of our Lord One thousand eight hundred and twenty eight, 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 constraint, to the best of the knowledge and belief of these deponents, that they the said deponents, together with Betsey Weed, 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. Signed John Spragg, Ann Spragg. — Sworn the 24th day of August 1833. before me Rich^d. Crocheron, Surrogate.

And whereupon 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 constraint. — 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 here in 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 Henry S. Putan of the Town of Westfield, Richmond County and State of New York, being weak in body, but of sound mind and memory; Blessed be Almighty God for the same,

do make and publish this as my last Will & Testament in manner and form following. — I recommend my soul into the hands of Almighty God who gave it, and my Body to the Earth, to be buried in a decent Christian like manner by my Executors herein after mentioned. — And as touching my worldly estate, I dispose of it in the following manner.

First, I order all my just debts and funeral expenses to be paid as soon as convenient after my decease by my executors whom I order to dispose of my personal estate to discharge the same, and in case my personal estate should not amount to a sufficiency to discharge my debts in such case I empower my executors to Mortgage my Real estate to raise a sufficiency to discharge the same. —

Then I will and bequeath unto my beloved wife Rachel all my Real and Personal estate during her life time in case she remains my widow, but in case she should marry, then I order my executors to sell all my estate both Real and personal as soon as they may think it advisable after my wife's marriage, and the proceeds thereof to divide share and share alike between my said wife Rachel and my three children namely, William Henry, James Madison and Mary Jane Rutan, but the share of my wife Rachel shall be considered in lieu of her dower right. — And lastly, I appoint the Rev. and William Cole, Joseph Sequine Esq. and William Shea, Executors of this my last Will and Testament, giving them full power and authority to sell and dispose of my Real estate and to give sufficient deed or deeds for the same, to the purchaser or purchasers thereof in as sufficient and lawful manner as if I had conveyed the same myself. — In witness whereof, I the said Henry S. Rutan have hereunto set my hand and seal the twenty fourth day of January in the Year of our Lord one thousand eight hundred and twenty eight

Published, pronounced and declared by the said Henry S. Rutan to be his last Will & Testament in the presence of us witnesses who in his presence, and in the presence of each other, have hereunto subscribed our names
 John Spragg. Ann^{rs} Spragg. Betsey Wrege

State of New York, Richmond County, ss.

Be it remembered that a Surrogate Court held for the County of Richmond, at the Surrogate's Office in the said County, on the twenty fourth day of August in the Year of our Lord one thousand eight hundred and thirty three, before Richard Crocheron Surrogate of the said County, the last Will and Testament of Henry S. Rutan late of the said County deceased, (of which the foregoing is a copy) was admitted to probate, after notice to the Widow and next of kin to the said deceased, given, served, returned and filed according to law. — Whereupon at the place and on the day aforesaid, John Spragg and Ann Spragg two of the subscribing Witnesses to the said Will after having been duly sworn by the said Surrogate, testified that they did see the said deceased sign and seal the said instrument, and heard him 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 constraint, and that they together with Betsey Wrege the other subscribing Witness, subscribed their names to the said Will as Witnesses at the request of the testator and in his presence. — Whereupon I the Surrogate upon the proof aforesaid, being satisfied of the genuineness and validity of the said Will, Order that the said Will be admitted to probate, and that letters Testamentary thereon be granted to Rev^d William Cole, Joseph Sequine Esq. and William Shea 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.

Dated September 16. 1833.

Rich^d Crocheron, Surrogate

Be it also remembered, that on the twenty fifth day of September in the Year of our Lord one thousand eight hundred and thirty three, personally appeared before me Rev^d William Cole and William Shea two of the Executors named in the aforesaid Will of Henry S. Rutan deceased, and were duly sworn to the faithful performance and execution thereof by taking the usual Oath in such cases prescribed

Richard Crocheron, Surrogate

(17)

Record of the Will of Helathy Jacobson, deceased
State of New York. Richmond County, ss.

Be it remembered that a Surrogate's Court held for the County of Richmond at the Surrogate Office in said County the tenth day of September, in the Year of our Lord one thousand eight hundred and thirty three, Present, Rich^d Broderson, Surrogate.

In the Matter of Proving the last Will & Testament of Helathy Jacobson late of Richmond County, decd.

Whereas Cornelius Jacobson one of the executors named in the Will of the said deceased appeared, and presented his petition to the said Surrogate, setting forth, that the said Helathy Jacobson departed this life on or about the fifteenth day of April last past, at her late residence in Southfield, in the said County of Richmond, leaving a last Will and Testament, that in and by the said Will she appointed her sons, Isaac Petitioner and Peter Jacobson, and her Brother Israel Beall the executors thereof, that the said deceased died leaving next of kin, her Children, to wit, the aforesaid Peter Jacobson & Isaac Petitioner, Israel Beall, son, Beall Jacobson, Abraham Jacobson, Anne, wife of Cornelius Beatty; Catherine wife of Sam^l Gooding; Elizabeth wife of Benson Seaman; Maria, wife of John N. Tosker; Matilda wife of Augustus Luckinba; and Lucretia Jacobson, & her Granddaughter Louisa, daughter of her late son, John Jacobson deceased; that the said petitioner is desirous the said Will should be admitted to proof, and letters Testamentary thereon granted to the above named executors, and prays a citation issuing out, and under the Seal of this Court requiring the said next of kin personally to be and appear when and where this Court may see direct, to oppose or support as they may see fit, the probate of the said Will - Upon which petition an order was made and entered by the said Surrogate, in his Book of Minutes, that citation issue to the next of kin of the said Helathy Jacobson to appear, and attend the probate of the said Will before the said Surrogate at his office in the Village of Richmond on the thirtieth day of September instant at the hour of three o'clock in the afternoon.

Be it also remembered, that at a Surrogate's Court held at the Surrogate office in said County the thirtieth day of September, one thousand eight hundred and

(18)

thirty three. - Present, Richard Broderson, Surrogate. Appeared Peter Jacobson and Cornelius Jacobson two of the executors named in the Will of Helathy Jacobson deceased, and set forth, that the citation heretofore issued by the said Surrogate to the next of kin of said deceased, to attend this day to the probate of said Will has duly served on said next of kin by its publication in the Richmond County free press; which said citation, and the affidavit of its publication is as follows.

The People of the State of New York.

To the next of kin of Helathy Jacobson, late of Southfield in the County of Richmond deceased, Greeting.

You are hereby cited to be and appear before the said Surrogate of the County of Richmond at his office in the Village of Richmond in the said County, on the thirtieth day of September instant, at three o'clock in the afternoon of the same day, to attend to the probate of a certain instrument in writing, bearing date the twenty ninth day of March, A. D. 1833, purporting to be the last Will and Testament of Helathy Jacobson late of Richmond County deceased, on the Application of Cornelius Jacobson, one of the executors named in said Will.

In Witness Whereof the Surrogate of the said County has herunto affixed his Seal of Office, the tenth day of September, one thousand eight hundred and thirty three.

Richard Broderson, Surrogate
State of New York - }
City & County of New York } ss. William Hagadone - of the City of New York, being duly sworn, deposes and says, that he is the printer and publisher of the Richmond County free press, and that the advertisement a copy of which is hereto affixed has been regularly inserted in said paper for three weeks successively, beginning on the 14th day of September last past. W^m Hagadone. - Affirmed before me this 5th day of October 1833. E. Dugan, Com^o Court.

Whereupon 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 revised 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 said affidavit of service

19

notice upon the next of kin of the said deceased, by publishing the said citation in a public newspaper, that leave be given to the said Peter and Cornelius Jacobson, to proceed in the proof of the will of the said Hellety Jacobson, deceased.

State of New York, Richmond County, ss.

In the matter of proving the last will & Testament of Hellety Jacobson late of R. County and Samuel Goodington of the City of New York, being sworn saith, that he did see the said deceased, sign and seal the instrument now shown to him, purporting to be the last will and Testament of the said deceased bearing date the twenty fourth day of October, in the Year of our Lord, one thousand eight hundred and thirty two, also bearing date the twenty ninth day of March, one thousand eight hundred and thirty three, and executed the latter date, and he the said deponent further saith, that he heard the said deceased publish and declare the said instrument to be her last will & Testament, that at the time then of the said deceased was of sound disposing mind and memory, and not under any restraint, to the best knowledge and belief of this deponent, and this deponent further saith, that he together with Eliza Seaman the other subscribing witnesses to the said will, subscribed their names thereto as witnesses, at the request of the testatrix, in her presence and in the presence of each other. S. Goodington. — Sworn the

30th day of September 1833. before me, Rich^d. 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 Testatrix who executed the same, was at the time of making said 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 of the said deceased, together with the proofs thereof be recorded, which said proofs is herein before recorded and contained, and that the said will so ordered to be recorded, is as follows to wit.

20

In the Name of God. Amen. I Hellety Jacobson Widow of John N. S. Jacobson late of the County of Richmond and State of New York, deceased, being mindful of my Mortality, and desirous while in health to provide for the disposition of my property, after it shall please the Almighty to remove me from among the living. — Do make and publish this my last Will and Testament in manner and form following, hereby revoking all other and former Wills by me made.

I will and direct that my executor hereafter named after my decease shall have my body to be interred in a decent and Christian like manner, but without any unnecessary expense, and that they immediately thereafter defray my funeral charges and pay all my just debts, if there should be any.

I give and bequeath to my beloved daughter Matilda, one Bed, Bolster and Pillows.

I give and bequeath to my beloved daughter Lucretia all the rest and residue of my Beds, Bolsters and Pillows, all my Bedsteads, Bedding, Curtains, Bed linen, Table linen and Towels, two thirds of my wearing apparel, all my silver ware, and such of my books, with the exception of my large Bible, as she may wish to select for herself. —

I give and bequeath to my daughter Nancy my large family Bible, and one third part of my wearing apparel, and I also give and bequeath unto her the sum of eighteen dollars.

I give to my grand-daughter Hellety Ann, the child of my daughter Nancy, the sum of twenty five dollars, and I give and bequeath to my grand-daughter Louisa the child of my deceased son John, my large trunk, and the sum of forty dollars, to buy her a Bed, Bolster and Pillows, which several sums of money I order my executor to pay to my said daughter and grand-daughters respectively, as soon as they shall receive sufficient from my estate to pay the same. —

All the rest and residue of my books and furniture including the portrait of myself and my deceased husband, I order my executor to sell as soon after my decease as may be convenient, and that they divide the money arising from said sale, equally among my daughter Lucretia

and Matilda, but the said portraits must both be sold to that one of my children, who will give the most for them and not to any other person or persons. — All the rest and residue of my estate of whatever kind the same may be after deducting the monies above bequeathed, I give and bequeath to my said daughter Lucretia. — If the term of service of my servant Mary should be unexpired at the time of my decease, I hereby free and discharge her from the same.

I order and direct my executors to collect what money may be due to me, and to settle my estate, as soon after my decease as may be found convenient, and if any disagreements should arise respecting the collection or disposition of any of the estates above bequeathed, then I order and direct that my executors should make such determination and decision.

I do hereby constitute and appoint my sons Peter Jacobson and Cornelius Jacobson, and my brother Israel Brodell, executors of this my last Will and Testament.

Witness my hand and seal the twenty fourth day of October, in the year of our Lord one thousand eight hundred and thirty two.

Signed, sealed, published and delivered by the above named Helthy Jacobson to his last Will and Testament in the presence of us, who have hereunto subscribed our names as witnesses in the presence of the Testatrix.

Signed this twenty ninth day of March, eighteen hundred and thirty three, in the presence of Samuel Goddington. Eliza Seaman.

State of New York. Richmond County, ss.
Be it remembered that a Surrogate's court held for the County of Richmond, at the Surrogate office in said County, on the thirtieth day of September in the year of our Lord one thousand eight hundred and thirty three, before Richard Crocheron Surrogate of the said County, the last Will and Testament of Helthy Jacobson late of the said County deceased (of which the foregoing is a copy) was admitted to Probate after citation to the next of kin of the said deceased.

issued, served, returned and filed according to law. — Whereupon at the place and on the day aforesaid, Samuel Goddington one of the subscribing witnesses to the said Will, after having been duly sworn by the said Surrogate, testified that he did see the said deceased, sign and seal the said instrument, and heard her publish and declare the same as and for her last Will and Testament, that at the time thereof the said deceased was of sound disposing mind and memory and not under restraint, and that he together with Eliza Seaman the other subscribing witness, subscribed their names to the said Will as witnesses, at the request of the testatrix and in her presence.

Whereupon the Surrogate upon the proof aforesaid, being satisfied of the genuineness and validity of the said Will be admitted to probate, and that letters testamentary thereon be granted to the said Jacobson, Cornelius Jacobson and Isaac Brodell 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. — Dated October 26th 1833

Richard Crocheron, Surrogate
Be it also remembered that on the eleventh day of November in the year of our Lord one thousand eight hundred and thirty three, personally appeared before me Peter Jacobson and Cornelius Jacobson two of the executors in the aforesaid Will named, and were duly sworn to the faithful performance and execution thereof in taking the usual oath in such cases prescribed.

Richard Crocheron, Surrogate

Record of the Will of Daniel Crocheron Esqr deceased of the State of New York. Richmond County, ss.
Be it remembered that at a Surrogate's court held for the County of Richmond at the Surrogate office in said County the eleventh day of September in the year of our Lord one thousand eight hundred and thirty three.
Present Jacob Tyson Esquire, first Judge of said County
On the matter of proving the last Will and Testament of Daniel Crocheron Esqr late of Northfield, Richmond County, State of New York, and Whereas John J. Crocheron, Acting executor of the said

deceased appeared, setting forth, that the said Daniel Brocheron lately departed this life having previously made and published his last will and Testament, that he the said John Brocheron is one of the executors named in the said will, and is desirous that the said will be admitted to proof and record, also to probate, and that letters testamentary thereon be granted to the executor in the said will named; that the Surrogate of said County, viz. Richard Brocheron, is next of kin to the said deceased, and therefore precluded by the statute in such cases provided of acting in the matter of said will, and requests the aid of the said Judge in the premises, and the said Applicant also further set forth that Jane Brocheron is heir at law of the said deceased is a minor & incapable in law of taking care of her interests in the proceedings to be had on the said will, and also requests the aid of said Judge in said matter.

Whereupon the Judge aforesaid being satisfied that the matter above set forth are true, and that pursuant to the revised Statutes of the State of New York, Chapter Sixth, title second, Article second, part second, are invested with full power and authority to act in the matter of said will, an Order was made and entered in the book of minutes, kept in the Office of the Surrogate of said County of Richmond, that John Brocheron of Northfield in said County of Richmond be appointed Guardian of Jane Brocheron the above named minor to take care of her interests in the premises.

The People of the State of New York

To John Brocheron of Northfield, County of Richmond and State of New York. — Greeting.

Whereas, Jane Brocheron Executrix named in the last will and Testament of Daniel Brocheron Esquire, late of the Town of Northfield in the County of Richmond, deceased, as is alleged intends to make application to Jacob Tyson Esquire first Judge of our County of Richmond, (the Surrogate of the said County being next of kin to the said deceased, & precluded by statute from acting in the matter) to have the said will proved, before the said Judge, and recorded pursuant to the revised Statutes of the State of New York, Chapter Sixth, title first, Article first, part second, and whereas it has been made satisfactorily to appear

that Jane Brocheron heir of the said Daniel Brocheron is a minor, therefore, the said Surrogate Judge, pursuant to the power in me vested by the said revised Statutes, in pursuance of the Order of my Court, before made and entered, do hereby appoint you, the said John Brocheron, Guardian for the said minor, to take care of her interests in the premises.

Given under the hand and seal of the Court of common pleas of the said County of Richmond, at the Surrogate office in said County the eleventh day of September one thousand eight hundred and thirty three. *Jacob Tyson* First Judge

Be it also remembered, that at a Surrogate Court held in and for the County of Richmond, at the late residence of the aforesaid Daniel Brocheron, deceased, in the town of Northfield, the eighth day of October one thousand eight hundred and thirty three

Present Jacob Tyson Esq. first Judge of said County, Present also, Jane Brocheron, John Brocheron & Henry Brocheron the executrix and executors, named in the will of the said Daniel Brocheron deceased, and produced a Notice in writing to the heir at law of the said deceased, of the intention of offering the will of said deceased for proof this day, and made affidavit of the due service of said notice on the said heir, which notice and affidavit are as follows:

In the matter of proving the last will and Testament of Daniel Brocheron Esq. deceased. —

To Jacob Brocheron, Richard Brocheron, Abram Brocheron, Reuben Brocheron, John Brocheron, Sarah Labourette and Ann his wife, James A. Howman and Joann A. his wife, Lewis R. Brocheron, Richard Brocheron, Elizabeth Brocheron, and Jane Brocheron a minor through her guardian John Brocheron.

Please to take notice, that I intend to apply to Jacob Tyson first Judge of the County of Richmond, in the State of New York, at the late residence of said deceased in the Township of Northfield, on the second Tuesday, being the eighth day of October next, at three o'clock in the afternoon, for the purpose of having the last will and Testament of Daniel Brocheron Esq. late of Northfield Richmond County, deceased, proved.

Dated the 11th day of September 1833. — Jane Brocheron Richmond County ss. I Henry Brocheron one of the Executors of Daniel Brocheron, dec'd, being sworn, saith that he personally delivered the within notice on Jacob Brocheron & Reuben Brocheron, two of

the persons named in said within notice.

John J. Brocheron, also an executor in the will of said deceased named, being sworn saith, that he personally served the within notice on all the persons therein named, except Jacob and Reuben Brocheron, — And the said deponent further saith, there are no other heirs at law of the said deceased, than those named in said notice, — *Testimony* Henry Brocheron, John J. Brocheron. — Sworn the 8th day of October 1833. before me Jacob Tyson, first Judge.

Whereupon 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 revised 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 said notice and affidavit by the said Court, that the said executrix and executor have leave to proceed to prove the said will of the said Daniel Brocheron Esq^r deceased. — And thereupon the said will being produced & shown to the Court, State of New York, Richmond County, &c.

On the matter of proving the last will and Testament of Daniel Brocheron Esq^r late of Northfield, Richmond County, & State of New York, deceased.

J. T. Harrison and Isaac Jaques of the said County, being duly sworn, depose 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 twelfth day of August, in the year of our Lord one thousand eight hundred and thirty three; 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 their deponents; And these deponents further saith, that they each and severally subscribed their names to the said will as witnesses, at the request of the testator, in his presence and in the presence of each other, — J. T. Harrison, Isaac Jaques

Sworn and subscribed the 8th day of October 1833. before me. *Jacob Tyson* — First Judge
And thereupon it appearing to the said Court, that the said will of the said deceased was duly executed accord-

ing 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 proofs thereof be recorded, which said proofs is herein before recorded and contained, and that the said will so ordered to be recorded is as follows, to wit.

* With grateful acknowledgements to the Supreme Being for the many blessings conferred on me, and for the sound mind and memory I now enjoy; And with considering the uncertainty of human life, indulging the hope of a glorious immortality through the saving grace of our blessed Saviour, Redeemer, Mediator and Advocate, after this mortal career, and with due submission to the divine will when to call me home. — I Daniel Brocheron of the Township of Northfield in the County of Richmond and State of New York, do make public and declare the following to be my last will and Testament respecting the disposition of my estate and worldly affairs.

With desiring that, after the termination of this life my mortal remains may be, without ostentation or parade, decently interred near those of my dear departed parents and brothers. — I request my executrix and executor herein after named, to pay and discharge from out of my personal property, my funeral expenses, and all just debts outstanding against me without unnecessary delay. But delay in ascertaining them or any part of them shall not operate to prevent the heirs of my personal effects from immediately entering into quiet, peaceable, undisturbed and unrestricted possession of the same; my said personal property remaining subject to discharge such debt, or debts whenever they may be ascertained previous to the final settlement of my estate.

As regards my will respecting my property or worldly estate. — 1st. I give and bequeath to my beloved wife Jane Brocheron all my personal effects, consisting of household and kitchen furniture, farming implements or utensils, stock of domestic animals, hay, grain crops in the ground, and every other article or thing of personal effects belonging to me, of whatever kind or description whatever the same may be, to the sole and only use of her; her heirs and assigns forever. — I also will and bequeath to my said beloved wife, to her sole use, control and disposal, a sum or amount of five thousand dollars (\$5000.) from out of the residue of my estate; and at her own option to have the said amount in cash after the

same be collected by my executrix and executor, or accept the said amount, with her own choice of selection, out of the sales, bonds, mortgages, and other amounts or evidences of debts due to me. And in the event of any deficiency in these, or of such as may be selected as aforesaid, making up the said amount of five thousand dollars hereby bequeathed to her, such deficiency shall be made up from the sale of such part, except that hereafter allotted to my brother Reuben, of my real estate, as my said beloved wife and executrix may deem proper and expedient; — I furthermore will and bequeath to my said beloved wife, so long as she remains my widow, or remaining unmarried, during her natural life the exclusive possession, use, occupancy and enjoyment of, and all the rents, profits, benefits, emoluments and advantages arising from, all and every other part of my estate, except the part hereinafter mentioned as otherwise bequeathed: — And if at any time my said beloved wife should prefer, owing to age, infirmities or other cause, to have the interest of the value of said estate invested of the use and occupancy of it, the same may be sold, consummated to cash, sold at public auction, or in the discretion of my executrix & administrator, a fair price can be obtained, and the proceeds of such sale being safely invested to the satisfaction of my said executrix, secured by bond and mortgage on unincumbered estate, the interest thereof shall be payable to my said beloved wife so long as she lives or remains my widow; and in the event of her marriage or decease said portion of my estate, or the money or securities arising from the sale thereof, shall be disposed of as hereinafter mentioned. — I do care said portion of my estate or any part thereof be rented out through considerations of advantage or interest to my said beloved wife, my executor shall be authorized to prevent the commission of waste by the tenants or occupants. And it is my will that no more timber be cut from my woodlands, than necessary for fencing or other use of said portion of my estate, and no more fire wood be cut therefrom than may be consumed as fuel in the residence or dwelling of my beloved wife on said estate. — And it is my will in making the foregoing bequests, that part of the same be considered as in lieu of dower to my beloved wife, and from all & any right of dower in my estate be entirely freed and exonerated.

2^d It is my will to appropriate to the use benefit and advantage of my brother Reuben and his family, all that part of my real estate situated in the township and County aforesaid,

said, lying between the turnpike and old road, leading to and from the place called the long neck or blessing star ferry, on which said part of my real estate is situated my grist and saw mills, and the dwelling house now occupied by my said brother Reuben and his family; said tract of land contains about eleven or twelve acres be the same more or less; and in order that all existing advantages of water power belonging and connected with said mills or preserved and continued to them exclusively, there by attach, connect and make inseparable with said mills, the water right or rights of the owner or occupants of said mills of keeping up and putting in repair the dam of the water pond on another tract of land belonging to me and lying higher up the stream of water connected with said mills: the same being known and distinguished in our neighbourhood as the upper pond; and the owner or occupant of said mills, is hereby vested with the right forever of passing and repassing, himself or themselves, servants, workmen, waggon, carts and teams, and of using stone and earth from said land for the purpose of repairing or rebuilding said dam as often as he or they may deem proper, and claim up and let off more or less water from time to time and overflow as much of said land as he or they can at his or their pleasure; and with this exclusive use of water power and control of the dam and pond, without other right to or of said other than above mentioned, my executor can only sell said tract of land with this incumbrance or reservation upon it. The object of this grant or bequest being for the comfort of my said brother Reuben and his family, my will is that he shall enjoy all the profits, benefits and advantages thereof, that the same shall be and remain in his possession so long as he keeps the premises in good order and repair, without which they would be in a manner worthless; and it is my will that the property above mentioned shall be inalienable by my said brother, and no sale, mortgage, lien nor judgement shall be binding upon it; nor shall the same be rented or leased out except by my executrix and executor, who shall receive the rents arising therefrom and apply so much thereof as may be necessary to defray the expenses of repairs, and apply any surplus to the use of said brother Reuben & his family. — If my executrix and executor find at any time or from time to time until the same be finally disposed of as herein directed that the property depreciating and going to decay by the neglect or omission of the occupant keeping and putting the same in repair, I hereby authorize and request them to take possession of the same, and rent or lease out the whole of the property aforesaid for any

time as the money arising from such lease may be sufficient to defray the expense of putting all of said premises in good order and repair - After which my said brother can occupy them again with being subject to the same removal for similar omission to attend to his own advantage and interests in failing to keep the premises in good order & condition as aforesaid. — After the decease of my said brother Reuben, the property mentioned in this second clause of my bequest shall descend to his children by his present wife, or to the survivors of them, those dying having no heirs and assigns forever. — In the event however of the mother of these children surviving her said husband their father, and a part of said children be too young to be put out to learn some occupation or business, I leave it to the discretion of my executrix and executor under the then existing circumstances to employ one of her sons if he be competent, or some other capable person to attend to the mills, or the same may be rented out, for the use of said mother and younger children; till said children become old enough to be put out as aforesaid, and during which time if the said mother continue the widow of my said brother and no longer; or my executrix and executor may in their discretion as aforesaid for the benefit of all concerned sell the said property in the manner prescribed by law soon after my said brother Reuben's decease. In the event of the said children being old enough for the purpose aforesaid, or the mother of said children be deceased previous to their father, or survive him and again married, it is my will, that said property be sold in the manner aforesaid and when sold under any circumstances, those of the children then arrived of lawful age may receive their proportions of the purchase money; and the balance of said purchase money must be invested and secured by bond and mortgage on unincumbered estate, and the proportions due to the several children as aforesaid shall be paid to them as they may severally arrive to lawful age, together with so much interest as may have accrued and remained unexpended for their benefit, maintenance and support; and in case that at any time, so much interest remains in the hands of my executrix and executor unexpended, as amounts to one hundred dollars and upwards, the said amount should be reinvested on interest for the benefit of him, her or them to whose

share or portion the same may belong.)

3^d. After the decease of my said beloved wife Jane Brocheron or in the event of her marriage, it is my will that all and every part of my estate not herein before bequeathed and granted away forever to the persons herein before mentioned and to their heirs and assigns, shall be inherited by and belong to, under certain conditions herein after mentioned, my brothers Jacob, Richard, Abraham, (if they be living at the time, otherwise their several shares to descend to their several heirs and the heirs of my late brother John, deceased, said heirs to be entitled as tenants in common to the same equal fourth share to which their father my late brother John would have been entitled had he been living, provided nevertheless, and it is my express injunction that the following mentioned condition of inheriting shall be enforced. Viz: That upon failure of any or either of my said brothers, who may be indebted to me either individually or as executor or administrator, their or each of their heirs, executors or administrators making full payment, or otherwise settling to the entire satisfaction of my executrix and executor within twelve months next following after my decease, my said every such debt, claim or demand, which my executrix and executor consider as justly and equitably due to my estate, and to them as my executor, in performing the duties of executor or administrator, he or they of my said brothers nor their heirs shall have any part or portion of my estate other than such amount as may remain of a share over and above paying and discharging the claims or demands as aforesaid according as my said executrix and executor may estimate to be due as aforesaid from such brother or brothers. — And upon the final settlement and close of all other matters herein before mentioned, the reverting real estate may be sold conformable to law, and the dividend and distribution of the proceeds thereof may be made in the manner above mentioned.

To this my last Will and Testament, annulling, canceling and revoking all former wills by me made; I do hereby do make constitute and appoint my beloved wife Jane before mentioned my executrix, and my nephew John J. Brocheron and my neighbour and friend Henry Brocheron as my executor to execute and perform my desires and requests herein before expressed.

Part Signed. — In the first clause of my bequest the writer has not understood my meaning and will relative to the disposition of my personal estate, and I now make known that it

is my will that all notes, Bonds, mortgages, accounts & all claims of debt due to me whatsoever, together with cash in hand shall be deemed and considered as pertaining and included in my personal effects, property or estate, all of which I give and bequeath without any exception whatsoever to my beloved wife Jane Crocheron to the sole use of her, her heirs & assigns forever. — And the said sum of five thousand dollars which is mentioned in said first clause of my bequest is given, granted, and bequeathed to my beloved wife, the same shall be paid out of and be made chargeable on any and all my real estate, except that part thereof bequeathed to my brother Reuben and his family. — And whenever my said wife may wish to have the said sum of five thousand dollars paid over to her and desires the same to be sold to realize for her the said sum, the said farm may be sold conformable to law, and paying the said amount to her, the balance of the purchase money shall be invested in the manner herein before directed, and the interest arising therefrom to be paid to her during the period herein before mentioned as under the circumstances mentioned in said first clause of her preferring the interest of the value of the property to the use and occupancy thereof. — And in case my beloved wife does not demand or require said sum to be paid to her from out of my said real estate, said estate shall be and remain chargeable and liable to her as a lien for said amount of five thousand dollars, which said lien she may give, grant or bequeath in any way she may deem proper.

And in addition to the second clause of my bequest I require my brother Reuben and would enjoin it upon him as he resides so near and his business being so near that of the residence of my beloved wife, that he should render to her every assistance in his power in the care and management of the farm, stock, barn, fences &c. — And it is my wish that he should give all her grain free of toll and when not inconvenient to deliver the same at her house after it be ground. — And it is my wish also that he should show in his mill, any and all timber measuring and required for the use of my estate free of any charge. — And in the event of my decease between the months of August and May in any year, the said mill and property mentioned in said second clause of my bequest, shall be and remain and continue as a part of my estate till said first day of May arrive.

In witness whereof I have hereunto set my hand and affixed my seal this 12th day of August. A.D. 1833.

Witness present

Daniel Crocheron

J. T. Harrison, Eastleton St. Maine
Isaac Jaques, Northfield St. Maine

State of New York, Richmond County, ss.

Be it remembered that a surrogate court, held at the town of Northfield, in the County of Richmond at the late residence of Daniel Crocheron Esquire late of the said County, deceased, on the eighth day of October, One thousand eight hundred and thirty-three, before Jacob Tupper, Esquire, first Judge of the said County, the last will and Testament of the said Daniel Crocheron, and (of which the foregoing is a copy) was admitted to probate, after notice to the heirs and next of kin to the said deceased, issued, served, returned, and filed according to law; Whereupon at the place and on the day aforesaid, J. T. Harrison & Isaac Jaques the subscribing witnesses to the said will, after having been duly sworn by the said Judge, testified that they did see the said deceased sign and seal the said instrument, and heard him 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 restraint, and that they subscribed the said will as witnesses at the request of the testator and in his presence. Whereupon, the said Judge upon the proof aforesaid, being satisfied of the genuineness and validity of the said will, ordered that the said will be admitted to probate, and that letters testamentary thereon be granted to Jane Crocheron, Executrix, John Crocheron and Henry Crocheron 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.

In witness whereof I, the Judge aforesaid, have hereunto affixed the seal of the Court of Common Pleas of the County of Richmond, this twenty first day of October, in the year of our Lord one thousand eight hundred and thirty three

Jacob Tupper Just Judge

Be it also remembered, that on the thirteenth day of November in the year of our Lord one thousand eight hundred and thirty three

personally appeared before me James Brocheron, John J. Brocheron and Henry Brocheron, the executors and 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.

Joseph Tyler First Judge

Record of the Will of James G. Perine, late deceased.
State of New York. Richmond County, N.Y.

Be it remembered, that a Surrogate's Court, held for the County of Richmond, at the Surrogate's office in said County, the third day of October, in the year of Our Lord one thousand eight hundred and thirty three, before Richard Brocheron, Surrogate of the said County,

Whereas, on the said third day of October Leonard Parkinson, acting executor of the said deceased appeared and made application for the proof of the Will of the said deceased, (which Will had been previously deposited in the Surrogate's office) and set forth, that the heirs at law of the said deceased are now two children, Phoebe Ann & Susan Jane Perine, who are minors.

Whereupon an Order was made and entered by the said Surrogate, that Henry Brocheron of Northfield in the said County of Richmond be appointed guardian of Phoebe Ann & Susan Jane Perine the above named minors, to take care of their interests in the premises.

The People of the State of New York.

To Henry Brocheron of the town of Northfield in the County of Richmond. Greeting.

Whereas, Leonard Parkinson, an executor named in the last Will and Testament of James G. Perine, late of the said Town of Northfield and County of Richmond, deceased, as is alleged intends to make application to Richard Brocheron Surrogate of our County of Richmond, to have the said Will proved, before the said Surrogate, and a record pursuant to the revised Statutes of the State of New York, Chapter sixth, title first, article first, part second; And whereas it has been made satisfactorily to appear that Phoebe Ann & Susan Jane Perine, heirs of the said James G. Perine are minors, — I therefore the said Surrogate aforesaid, pursuant to the power in me vested by the said revised Statutes, in pursuance of an Order of my Court before made and entered

do hereby appoint you the said Henry Brocheron guardian for the said minors, to take care of their interests in the premises.

Given under the hand and seal of office of the said Surrogate, at the Surrogate's office in said County, the third day of October, one thousand eight hundred and thirty three.

Richard Brocheron, Surrogate.

Be it also remembered that at a Surrogate's Court held the twenty first day of October, instant, at the Surrogate's office in the said County, Present Richard Brocheron, Surrogate.

In the matter of proving the last Will and Testament of James G. Perine late of Richmond County.

Whereas a notice to the heirs of the said deceased was heretofore produced to the said Surrogate, dated October 3rd 1833, and signed Leonard Parkinson acting executor, of his intention of offering the said Will for proof this day; And answer to said notice, was the consent of the aforesaid Henry Brocheron in writing, bearing date the fifth day of October 1833, and signed by him to become the guardian of the above named minors, heirs of the said deceased, also his admission of due service for each of the said minors, of the said notice. — Which said notice, consent and admission are as follows. —

In the matter of proving the last Will &

Testament of James G. Perine, deceased.

To Phoebe Ann and Susan Jane Perine, by their Guardian Henry Brocheron. — 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, on the twenty first day of October instant, at three o'clock in the afternoon, for the purpose of having the last Will and Testament of James G. Perine late of Northfield, Richmond County deceased, proved. — Dated the 3rd day of October 1833. Leonard Parkinson ^{acting} executor.

In the matter of proving the last Will & Testament of James G. Perine deceased.

I hereby consent to become the guardian of Phoebe Ann Perine & Susan Jane Perine, minors and heirs at law of the said James G. Perine deceased, — Dated Northfield October 5th 1833. Henry Brocheron.

I hereby admit due service of notice for each of the above named minors, of proving the said last Will & Testament of James G. Perine deceased, before the Surrogate of Richmond County, on the twenty first day of October Inst.

Dated, Northfield, Richmond County, Oct-5, 1833. Henry Crocheron.
Whereupon, 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 revised 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 said notice, consent and admission of notice by the said Court, leave was given to proceed in the proof of said Will, — The subscribing witnesses to the said Will appearing, and the Will being produced and shown to the Court.

State of New York. Richmond County, ss.

In the matter of proving the last Will and Testament of James G Perine late of Northfield, County of Richmond State of New York, ss.

Jacob Simonson & David Crocheron of the Town, County & State aforesaid, being duly sworn, depose and say that they do 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 September in the year of our Lord one thousand eight hundred and thirty three, 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 their knowledge and belief of these deponents; — and these deponents further say, that they subscribed their names to the said Will as witnesses, at the request of the Testator in his presence and in the presence of each other; and further these deponents say, that — Jacob Simonson, David Crocheron sworn the 21st day of Oct 1833. before me. Rich^d Crocheron. Sump

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 of the said deceased, together with the proofs thereof be recorded, which said proofs 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 James G Perine of the Town of Northfield in the County of Richmond and State of New York, being of sound and disposing mind, memory and understanding, do hereby make publish and declare, my last Will and Testament, in manner and form following.

First. I order and direct that my executor herein after named, pay all my just debts and funeral charges as soon after my decease as conveniently may be.

Second. I give and devise unto my daughter Phoebe Ann Perine the sum of five hundred dollars, to be paid to her at her marriage or at the age of eighteen.

Third. I give and devise to my daughter Susan Jane Perine the sum of five hundred dollars, to be paid to her at her marriage or at the age of eighteen.

Fourth. I give devise and bequeath all the rest and residue of my real and personal estate, which I shall own or be possessed of, at the time of my death, to my wife Ann Perine, to have the full use and possession thereof and to dispose of in any way she may see proper.

Fifth. I do hereby nominate and appoint, my brother in law Leonard Parkinson Executor and my wife Ann Perine executrix of this my last Will and Testament, and hereby expressly revoke all and every former Will by me made. — In Witness Whereof I have hereunto set my hand and seal the thirteenth day of September, in the year of our Lord, one thousand eight hundred & thirty three.

Signed, sealed, published and declared by the testator to be his last Will and Testament in the presence of us, who at his request and in his presence and in the presence of each other, have subscribed our names as. witnesses.

Jacob Simonson (of the Town of Northfield in the County of Richmond and State of New York

David Crocheron (of the Town of Northfield in the County of Richmond and State of New York.

James G Perine

State of New York. Richmond County, ss.

Be it remembered, that a Surrogate Court, held at the surrogate office in the County of Richmond, on the twenty first day of October in the year of our Lord, one thousand eight hundred and thirty three, before Richard Brocheron Surrogate of the said County, the last Will and Testament of James G Perine, late of the said County, deceased (of which the foregoing is a true copy) was admitted to probate after due notice to the next of kin to the said deceased, if such Service, returned and filed according to law; whereupon at the place, and on the day aforesaid, Jacob Simonson & David Brocheron the subscribing witnesses to the said Will, after having been duly sworn by the said Surrogate, testified, that they did see the said deceased, sign and seal the said instrument and heard him 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 restraint, that they subscribed their names to the said Will as witnesses at the request of the testator, and in his presence; — Whereupon the Surrogate upon the proof aforesaid, being satisfied of the genuineness and validity of the said Will, ordered that the said Will be admitted to probate, and that letters testamentary therein be granted to Ann Perine and Leonard Parkinson, the executrix & 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. — In testimony whereof the Surrogate aforesaid have hereunto affixed my official seal, the eighteenth day of November, in the year of our Lord, one thousand eight hundred & thirty three.

Richard Brocheron, Surrogate.
Be it also remembered that on the ninth day of January, in the year of our Lord, one thousand eight hundred & thirty four, personally appeared before me Ann Perine, and on the thirteenth Leonard Parkinson, the executrix & executor, named in the last Will and Testament of James G Perine late of the County of Richmond deceased, and were duly sworn to the faithful performance and execution thereof by taking the usual oath in such cases prescribed.

Richard Brocheron, Surrogate.

Record of the Will of Abraham Cole, late deceased.

State of New York. Richmond County, ss.

Be it remembered that a Surrogate Court held for the County of Richmond at the Surrogate office in the said County, the twenty second day of October, in the year of our Lord, one thousand eight hundred and thirty three, — before Richard Brocheron Surrogate of the said County.

In the matter of proving the last Will and Testament of Abraham Cole late of the Town of Westfield in the County of Richmond, deceased.

Personally appeared before the said Court Abraham Cole, a Son and acting executor of the said deceased, and produced an instrument in writing, purporting to be the last Will and Testament of the said deceased, for proof and record, also for probate, and the said applicant set forth, that part of the heirs at law of the said deceased are minors, to wit — Susan Ann, wife of B. P. Winant, Harriet Cole, Mary Cole, Jacob G Cole and Abigail Cole. — Whereupon an Order was made & entered by the said Surrogate that Bernet P. Winant of the Town and County aforesaid, be appointed guardian for the above named minors, for the sole purpose of appearing for and taking care of the interests of said minors in the proceedings to be had on the said Will.

The People of the State of New York.

To Bernet P. Winant of the Town of Westfield in the County of Richmond, greeting.

Whereas Abraham Cole one of the executors named in the last Will and Testament of Abraham Cole, late of the Town of Westfield in the County of Richmond and State of New York deceased, as is alleged intends to make Application to Richard Brocheron Surrogate of our said County of Richmond to have the said Will proved, before the said Surrogate and recorded, pursuant to the revised Statutes of the State of New York, Chapter Sixth, title first, Article first, part Second. — And whereas it has been made satisfactorily to appear, that Susan Ann, wife of said B. P. Winant, Harriet Cole, Mary Cole, Jacob G Cole & Abigail Cole heirs at law of the said Abraham Cole, deceased, are minors. — I therefore the Surrogate aforesaid, pursuant to the power in me vested by the said revised Statutes, in pursuance of an Order of my Court before made and entered, — do hereby appoint you the

Said Bornt Winant, guardian for the said minors, to take care of their interests in the premises.

Given under the hand and seal of office of the said surrogate, the twenty second day of October, one thousand eight hundred and thirty three. — Rich^d Crocheron, Surrogate.

Be it also remembered, that at a Surrogate's Court held the twenty eighth day of October instant, at the surrogate office in the said County of Richmond. — Present Richard Crocheron, Surrogate. — Appeared Abraham Cole, the Acting executor aforesaid, of the last will and Testament of the said Abraham Cole deceased, and produced a notice to the heirs at law of the said deceased, of his intention of proving the will of said deceased for proof this day; and the consent of the aforesaid B. P. Winant to become the guardian of the aforesaid minors, together with his admission of due service of notice for said minors, and his consent to the proof of the said will this day; — Also the Admission of the adult heirs, of the due service of said notice & their consent, that the said will be offered for proof this day, and the said Abraham Cole the executor aforesaid being authorized by the said Surrogate, to certify there are no other heirs at law of the said deceased than those named in said notice, and admitted due service thereof, and their consent that the said will be offered for proof this day. — Which notice, admission of service & consent is as follows.

State of New York, Richmond County, ss.

In the matter of proving the last Will & Testament of Abraham Cole, late of Westfield in the County of Richmond, deceased.

To W. J. Cole, Isaac Cole, Abraham Cole, and to Susan and wife of B. P. Winant, Harriet Cole, Mary Cole, Jacob G. Cole & Abigail Cole, minors, through their guardian B. P. Winant, all heirs at law 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 his office in the Village of Richmond in said County, on the twenty eighth day of October instant at the hour of three o'clock in the afternoon, to have the last Will and Testament of the said Abraham Cole deceased, proved pursuant to the revised Statutes of the State of New York, Chapter sixth title first, article first, first section. — Dated the 22^d day of October, A. D. 1833. — Abraham Cole, Executor.

In the matter of proving the last Will and Testament of Abraham Cole, late deceased.

We the undersigned heirs at law of the said deceased, do hereby admit due service of notice, of proving the said last Will and Testament of Abraham Cole deceased, before the Surrogate of the County of Richmond on the twenty eighth day of October instant; and do hereby consent and agree that the said will be proved the said day. — Dated Westfield Richmond County October 22. 1833. — Winant & Cole — Abraham Cole, Isaac Cole.

In the matter of proving the last Will and Testament of Abraham Cole deceased.

I hereby consent to become the guardian of said minors (multiple) Mary Cole, Harriet Cole, Jacob G. Cole and Abigail Cole, minors and heirs at law of the said Abraham Cole deceased.

Dated, Westfield October 22. 1833. B. P. Winant.

I hereby admit due service of notice for each of the above named minors, of proving the said last Will and Testament of Abraham Cole deceased before the Surrogate of Richmond County, on the twenty eighth day of October instant. — and do hereby consent and agree that the said will be proved on that day. — Dated Westfield October 22. 1833. Bornt P. Winant.

Richmond County, ss. — Abraham Cole of Westfield in the said County, one of the executors named in the will of Abraham Cole late of said County deceased, being sworn saith, that there are no other heirs at law of the said deceased, than those named in the said within notice, all of whom have acknowledged service of said notice, and consent to the proof of the will of said deceased this day. — Abraham Cole. Sworn the 28th day of October 1833. before me, Rich^d Crocheron, Surrogate.

Whereupon the said Court being satisfied with the proof made in the premises, that due notice had been given according to law, of the intention of having the said will of the said deceased proved according to the revised 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 said notice, Admission of service, consent, and Affidavit by the said Court, that the said Abraham Cole have leave to proceed to prove the said will of the said Abraham Cole, deceased.

Two of the subscribing Witnesses to the said will appearing, the said will being shown them did depose as follows

In the matter of proving the last Will and Testament of Abraham Cole, late of Westfield, Richmond County, and Marshall Swain and Esther Swain of the Town of Westfield being duly sworn, depose and swear, that they did see the said deceased sign and seal the instrument now shown them, purporting to be the last Will and Testament of the said deceased, bearing date the sixth day of October, in the year of our Lord, one thousand eight hundred and thirty three, and heard 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 of the knowledge and belief of these deponents, that they the said deponents together with William Cole the other subscribing witness, subscribed their names to the said instrument as witnesses at the request of the testator, in his presence and in the presence of each other. — Marshall Swain, Esther Swain, Sworn & subscribed the 28th day of October 1833 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 had 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 of the said deceased, together with the proof thereof be recorded, which said proof is herein before recorded and contained, and that the said Will be recorded to be recorded, is as follows, to wit,

In the Name of God, Amen, I Abraham Cole of the Town of Westfield, Richmond County State of New York, being weak in body, but of sound mind and memory, blessed be Almighty God for the same, do make and publish this as my last Will and Testament in manner and form following, (viz) I recommend my soul into Almighty God who gave it, and my body to the earth to be buried in a decent manner by my executors herein mentioned, and as touching such worldly estate as I am possessed of, I dispose of the same in the following manner. —

I first order all my just debts and funeral charges to be paid as soon as my executors shall think advisable and

proper and most convenient for them by selling such part of my estate as shall be most beneficial to my wife and my heirs. —

I then give and bequeath unto my said wife Ann, all my estate both Real and Personal during her natural life, and after her decease, I order that the same be divided there and there alike between all my children, namely, Winant J Cole, Isaac Cole, Susan Ann wife of Benet Perce Winant, Abraham Cole, Harriet Cole, Mary Cole, Jacob G Cole and Abigail Cole,

and lastly I constitute and appoint my son Isaac Cole and Abraham Cole executor, and my wife Ann executrix of this my last Will and Testament, giving them full power and authority to sell and dispose of ~~all~~ my Real and Personal estate in as good and lawful a manner as I myself might or could do, and to convey the same to the purchasers thereof by good and lawful deed or deeds of conveyance or otherwise, and the process of the same to divide as heretofore directed.

In witness whereof I have hereunto set my hand and seal, this sixth day of October, in the year of our Lord one thousand eight hundred and thirty three

Published, pronounced and declared by the said Abraham Cole as his last Will and Testament in the presence of —

William Shea, of the Town of Westfield
Marshall Swain, of the Town of Westfield
Esther Swain, of the Town of Westfield

State of New York, Richmond County. ss.
Be it remembered, that a Surrogate Court, held at the Surrogate office in the County of Richmond on the twenty eighth day of October, in the year of our Lord, one thousand eight hundred and thirty three, before Richard Crocheron Surrogate of the said County, the last Will and Testament of Abraham Cole late of the said County deceased, (of which the foregoing is a true copy,) was admitted to probate, after due notice to the next of kin to the said deceased; issued, served, returned and filed according to law; — Whereupon at the place and on the day aforesaid, Marshall Swain and Esther Swain two of the subscribing witnesses to the said Will after having been duly sworn by the said Surrogate, testified that they did see the said deceased, sign and seal the said instrument and heard him 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 restraint, and that they subscribed their names to the said Will as witnesses at the request of the testator and in his presence. Whereupon I the surrogate upon the proof aforesaid being satisfied of the genuineness and validity of the said Will, order that the said Will be admitted to probate, and that letters testamentary thereon be granted to Ann Cole, Isaac Cole & Abraham Cole the executrix and executors therein 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. — In testimony whereof I the surrogate aforesaid have hereunto affixed my official seal this twelfth day of November in the year of our Lord, one thousand eight hundred & thirty three.

Richard Crocheron Surrogate

Be it also remembered that on the thirtieth day of December, in the year of our Lord one thousand eight hundred and thirty three, personally appeared before me Isaac Cole & Abraham Cole past the executors named in the last Will and Testament of Abraham Cole late of Westfield, deceased, and were duly sworn to the faithful performance and execution thereof, by taking the said oath in such cases prescribed.

Richard Crocheron Surrogate

Record of the Will of Obadiah Bowne and State of New York. Richmond County, N.Y.

Be it remembered that a Surrogate's Court held for the County of Richmond at the Surrogate's office in the said County, the second day of December, in the year of our Lord, one thousand eight hundred and thirty three Present. Richard Crocheron Surrogate.

In the matter of proving the last Will and Testament of Obadiah Bowne late of Westfield in the County of Richmond State of New York, and Andrew Bowne of the City of New York, appeared and produced an instrument in writing, purporting to be the last Will & Testament of the said deceased, for proof, record and probate, and set forth, that he is one of the executors named

in the said Will; that the heirs at law of the said deceased are his Grand children, to wit, the children of his deceased daughter Mrs Hearn, part of them over, and part under the age of twenty one years, those that are minors have a guardian; — and Obadiah Bowne Junr a son of his deceased daughter Mrs Bowne — who has no Guardian in law to take care of his interests in the premises. — Whereupon an order was made and entered by the said surrogate that Andrew Bowne of the City of New York Father of the said minor, be appointed his Guardian, for the sole purpose of appearing for and taking care of his interests in the premises.

The People of the State of New York.

To Andrew Bowne of the City and County of New York, Merchant. Greeting.

Whereas, the said Andrew Bowne, one of the executors named in the last Will and Testament of Obadiah Bowne late of the town of Westfield in the County of Richmond deceased, as is alleged intends to make application to Richard Crocheron, Surrogate of our said County of Richmond, to have the said Will proved, before the said surrogate, and recorded pursuant to the revised Statutes of the State of New York, chapter sixth, title first, article first, part second; — And whereas it has been made satisfactorily to appear, that Obadiah Bowne Junr an heir of the said Obadiah Bowne, deceased, is a minor. — Therefore the surrogate aforesaid, pursuant to the power in me vested, by the said revised Statutes, in pursuance of the Order of my Court before made and entered, do hereby appoint you the said Andrew Bowne, Father of the said Obadiah Bowne Junr, his Guardian, to take care of his interests in the premises.

Given under the hand and seal of office of the said surrogate, at the Surrogate's Office in the Village of Richmond, the second day of December, in the year of our Lord, one thousand eight hundred and thirty three.

Richard Crocheron Surrogate

Be it also remembered, that at a Surrogate's Court held the thirteenth day of January, one thousand eight hundred and thirty four, at the Surrogate's office in the said County, Present. Richard Crocheron Surrogate, Andrew Bowne and Horatio Hearn, two of the executors named in the Will of Obadiah Bowne late of said County, deceased, appeared, and the said Andrew Bowne produced a notice in writing to the

him of the said deceased, of his intention of offering the said Will for proof before the said Surrogate, and the said Anne being duly sworn by the said Surrogate, deposed, that all the heirs at law of the said deceased are named in the said notice, and that he personally served the said notice on all the said heirs therein named, except Thomas Kearney, to whom he transmitted a copy, and who has acknowledged and sworn that which notice, Affidavit & Acknowledgement of Service is as follows:

In the matter of proving the last Will and Testament of Obadiah Bowne, deceased.
To Horatio Hearnsey, Thomas Kearney, Mary to Henry and to Anastasia, Catherine and Ann Kearney, Minors, by their guardian Joseph Taylor, and to Obadiah Bowne, a minor, by his Father and Guardian Marcus Bowne.

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 on the thirtieth day of December instant at ten o'clock in the forenoon, for the purpose of having the last Will and Testament of Obadiah Bowne late of Westfield, Richmond County deceased, proved.

Dated the second day of December 1833. Andrew Bowne my Father.
State of New York. Richmond County, ss.
Andrew Bowne the Acting Executor of the Will of Obadiah Bowne deceased, being sworn, saith, that all the heirs of the said deceased are named in the within notice, and further saith, that he personally served the said notice, on all those therein named, except Thomas Kearney, to whom he transmitted a copy of said notice. — Andrew Bowne sworn the 13th day of January 1834. before me. Rich^d. Brodhead. Surrogate.

In the matter of proving the Will and Testament of Obadiah Bowne deceased.
I hereby acknowledge due Service of Notice of the proof of the Will of the said deceased before the Surrogate of the County of Richmond on the thirtieth day of December instant, and do hereby consent the said Will be proved on said day.
Thomas Kearney.

Whereupon the said Court being satisfied with the proof made in the premises, that due notice had been given according to law, of the intention of having the said Will of the said deceased proved according to the several Statutes of the

State of New York. — Concerning Wills of Real and personal property and the proof of them. — It was thereupon ordered on reading and filing the said notice, Affidavit and Acknowledgement of Service by the said Court, that the said Andrew Bowne proceed to prove the said Will of the said Obadiah Bowne, deceased. — Two of the subscribing Witnesses to the said Will appearing, and the said Will being shown them, deposed as follows:

In the matter of proving the last Will and Testament of Obadiah Bowne late of Westfield Richmond County, deceased. — Rich^d. David Moore and Rich^d. D. S. Edgar of the County aforesaid, being duly sworn, depose 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, on the seventh day of November, in the year of our Lord, one thousand eight hundred and thirty three, and heard him the said deceased, read, 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 & belief of these deponents, — that they the said deponents, together with Richard Conner the other subscribing Witness 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. — David Moore D. S. Edgar. — Sworn the thirteenth day of January, 1834. before me. Richard Brodhead 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 therefore ordered by the said Court on due deliberation, that the said Will of the said Obadiah Bowne late of said County, deceased, 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 Obadiah Bowne, of the town of Westfield in the County of Richmond and State of New York, (Yeoman) this! enjoying the perfect use and exercise of my mental faculties, as 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 being 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 in 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 to surrender into the hands of Almighty God my immortal spirit whenever in the course of his all-wise and unerring providence he shall be pleased to summon it hence; beseeching his gracious acceptance thereof, only for the righteous 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 shall be pleased to direct.

I Infirmus. It is my will and I do hereby order and direct that my executors or the survivors or 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 whomsoever, on Bond, Note or Book debt or otherwise howsoever; — I do also order and direct that my executors shall sell all my estate on Staten Island both Real and Personal, and also a tract of land in the Township of Middletown in the County of Monmouth in the State of New Jersey, known as a part of the Matavon Farm, to which I became an heir, — late the property of Phillip Bowne, deceased, — Also, a lot of salt meadow lying and being at Chesequake landing, in the Township of Middlesex in the State of New Jersey, (called the new-laying) be sold within one year after my decease

and my Personal property may be sold as much sooner as my executors shall judge best for the Interest of those concerned, 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 also Will, order and direct that my executors or the survivors or survivor of them, shall as soon, as they shall be in possession of sufficient monies to answer the purpose, shall put at interest the sum of three thousand three hundred and thirty four dollars, or so much thereof as the interest will amount to two hundred dollars yearly; and I do also order and direct my said executor to collect such interest, and pay the said sum of two hundred dollars yearly and every year to my sister Catherine Provost during her natural life; and after the decease of my said sister, the aforesaid sum of three thousand three hundred and thirty four dollars, to be divided into two equal parts; and one of such equal parts to be paid by my said executor to the heir of my daughter Ann, late the wife of Captain Edmund Kearney deceased, there and there alike, and the other equal half part to be paid to my Grandson Obadiah Bowne son of my late daughter Catherine B Bowne, wife of Captain Amarece Bowne.

Item. It is my Will and I do also direct my executors to put at interest the further sum of five hundred dollars, and that my said executor collect the interest thereof and pay the same to John Van Dyke junior yearly and every year during his natural life; and after the decease of the said John Van Dyke junior, my said executor shall pay to the heir of my said daughter Ann the one equal half part of said five hundred dollars, there and there alike; and the other half part of said five hundred dollars I give and bequeath unto my said Grandson Obadiah Bowne; — And I do also further order and direct that all such monies so to be put out as aforesaid, shall be put out on Bond and Mortgage on landed property worth double the amount exclusive of buildings; — And the net proceeds of my estate so sold and so collected, I give and bequeath unto the heirs of my said daughter Ann deceased one equal moiety or half part, there and there alike. — I also give and bequeath unto my

Said Grandson Obadiah Bowne the other ^{my} equal moiety or half part. — And my House and lot of land at No 23. Wall Street New York now leased to John Deimonica and Brothers for four years from and after the first day of May one thousand eight hundred and thirty three. I do order and direct that said house and lot ^{shall} be ^{held} within twelve months after the expiration of said lease; Then I do hereby order and direct my said executor to make a statement of the net proceeds of my property both Real and Personal that shall then remain; And I give and bequeath one moiety or equal half part of such net proceeds to remaining unto the heirs of my said daughter Anne deceased, share and share alike; and the other one equal moiety or half part I give and bequeath unto my said Grand son Obadiah Bowne; — But in case my said Grand son namely Obadiah Bowne should die under lawful age and without lawful issue; Then and in such case, I give and bequeath unto his Father the said Captain Amos Bowne the sum of two thousand dollars & the share left to my said Grand son Obadiah Bowne; and the remainder if any to be equally divided among the heirs of my said daughter Anne — share and share alike. — And I do hereby empower my said executor hereafter named to give good simple and sufficient deeds of conveyance in the law to the purchaser or purchasers of my said landed property to be sold as aforesaid.

Lastly, I do hereby nominate, constitute, authorize and appoint my friends Amos Bowne of the City of New York Merchant and Caleb O Halstead of the City of New York Merchant, and Horatio H Kearney my Grand son to be the executor 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 testimony whereof, I have herewith set my hand and seal the seventh day of November in the year of our Lord One thousand eight hundred and thirty three.

Obadiah Bowne



Signed, sealed, published, pronounced

and declared by the said Obadiah Bowne 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.

David Moore Pastor of St. Andrews Church in the County of Richmond.

Richard Conner, of the town of Castletown (Yeoman)

D. S. Edgar, of the town of Westfield, Physician

State of New York, Richmond County, ss.

Be it remembered that a Surrogate's Court held for the County of Richmond at the Surrogate's Office in said County the thirteenth day of January, One thousand eight hundred and thirty four, before Richard Brocherson Surrogate of the said County, the last Will & Testament of Obadiah Bowne late of said County deceased, (of which the foregoing is a copy) was admitted to probate after notice to the next of kin to the said deceased, given, served, returned & filed according to law. — Whereupon at the place and on the day aforesaid Rev^d David Moore & Justice D. S. Edgar two of the subscribing witnesses to the said Will, after having been duly sworn by the said Surrogate, testified that they did see the said deceased, sign and seal the said instrument and heard him 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 restraint, & that they subscribed their names to the said will as witnesses at the request of the Testator & in his presence. — Whereupon the Surrogate upon the proof aforesaid, being satisfied of the genuineness & validity of the said Will, Order that the said Will be admitted to probate, & that letters Testamentary thereon be granted to Amos Bowne, Caleb O Halstead and Horatio H Kearney the 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 provided by law. In Testimony &c. the 10. Feb. 1834. Rich Brocherson Surrogate

Be it also remembered, that on the twelfth day of February in the year, One thousand eight hundred & thirty four, personally appeared before me Amos Bowne & Caleb O Halstead, two of the executors named in the last Will & Testament of Obadiah Bowne late of Richmond County, deceased, and were duly sworn to the faithful performance and execution thereof, by taking the usual oath in such cases provided. Richard Brocherson Surrogate