

it is ordered, that the original exemplification of said will & Codicil & the proofs taken under the Letters Rogatory heretofore issued in this matter both in the Spanish Language and the English translation thereof be recorded in the Office of the Register of this Court & that a copy of this decree be transmitted to be recorded in the office of the Surrogate of the County of Richmond, and that the said Surrogate issue Letters testamentary or of administration with the will annexed thereon in the same manner as if the original will and Codicil had been duly proved before him & recorded in his Office.

Testamento En el Nombre de Dios Todopoderoso Amen. Sepase que yo D^a Catalina Gaps de Roberts, vecina de esta Ciudad, natural de Sondres, hija legitima de Dⁿ Guillermo Gaps y de D^a Francisca Biarch, ya difuntos: hallandome con achaques de salud, pero en mi entero juicio, cumplida memoria y entendimiento natural que Dios nuestro Señor se ha servido darme, creyendo como firme y verdaderamente creo en el misterio de la Santísima Trinidad, y en todo lo demás que predica y enseña Nuestra Santa Madre Iglesia Católica Apostólica de Roma, en cuya fe y creencia he vivido y protesto hacer hasta morir como Católica y fiel Cristiana, teniendo la muerte, y deseando estar preparada para cuando acaezca, he determinado hacer mi testamento a cuyo efecto invocando la gracia y protección divina, lo ordeno en la manera siguiente = Primeramente. Comunicando mi alma a Dios Nuestro Señor que me la dió, creó y redimió con el precio y valor infinito de su preciosísima sangre: el cuerpo mando a la tierra, y en falleciendo se lo dará sepultura a voluntad de mis albaceas = Mando se me digan las tres misas del alma, y que se de la limosna de costumbre a las mandas forzosas, inclusa la Patriótica, establecida de Real Orden = Declaro que soy viuda y heredera universal de Dⁿ Cornelio Roberts de cuyo matrimonio no hemos tenido sucesión = Declaro por mis bienes un crédito que tengo contra Don Francisco Bernardo Stonor vecino de la Ciudad de Matanzas por la cantidad de seis mil novi-

cientos sesenta y seis pesos constante de escritura pública Declaro, también soy acrehedora de varias cantidades preexistentes de la venta del Ingenio titulado Catalina que en union del citado mi marido Rice al Sr Coronel Dr. Cecilio Ayllon en terrenos de San Antonio de la Negada partido de Manajayabo y sobre lo cual se estan practicando diligencias para el otorgamiento de la escritura de propiedad al Sr Comprador. Declaro que ademas tengo varias acciones en diferentes Bancos y establecimientos publicos de los Estados Unidos del Norte de America y algun dinero en poder de Morgan Melkum y Compañia de New York de cuyos particulares esta impuesto el Sr Dr. Carlos David Tolme, Consul de S. M. B. en esta plaza de la Habana y mi apoderado general = Espara que lo referido tenga efecto nombro por mis albaceas en primer lugar al referido Sr Dⁿ Carlos David Tolme, y en segundo al Sr Coronel Dr. Cecilio Ayllon a quienes confiero todo el poder y facultades en derecho necesarias con prerrogacion de termino. Y del remanente de todos mis bienes, deudas, derechos y acciones que por cualesquiera titulo o razon que sea, me toquen y pertenezcan, instituyo y nombro por mis unicas y universales herederos a mis hermanas D^{as} Guillermo Gaps, D^a Carlos Gaps, D^a Juan Gaps, D^a Isabel Gaps, casada con el Sr de Maltó y D^a Francisca Gaps casada no se con quien, y D^a Ana Gaps tambien casada ignorando con quien, y todos residentes en Inglaterra para que lo que fuere, lo hayan y hereden con la bendicion de Dios. Grevo y anulo todos y cualesquiera otros testamentos, codicilos, poderes, memorias o otras disposiciones que paratiar haya hecho o otorgado antes de ahora de palabra o por escrito que quiero no valgan ni hagan fe en manera alguna, salvo el presente que se guardará y cumplirá en todas sus partes como mi ultima deliverada voluntad, en aquella viaya forma que mas haya lugar por derecho. En cuyo testimonio escrebo en esta siempre fidelisima Ciudad de la Habana a veinte y cinco de Abril de mil ochocientos treinta y ocho. Yo el escribano publico doy fe conosco a la testadora que al parecer esta en su entera juicio y cumplida memoria, y que así lo dijo otorgó y firmó

siendo testigos en este partido del Cerro el Presbítero
Dr. Francisco Romero, Ldo. Dr. Juan Rila y Dr. Francisco
Górriz vecinos presentes. = Nota: que al tiempo de
firmar no pudo hacerlo por el temblor del pulso y
debilidad y a su ruego lo hizo uno de los testigos
citados. = A ruego como testigo Francisco Romero. =
Ante mí Juan de Entralgo =

Codicilo en la siempre fidelísima Ciudad de la
Habana a quince de Junio de mil ochocientos tre-
inta y ocho ante mí el Escribano público y testi-
gos compareció Dr. Catalina Capó de Roberts ve-
cina de ella, a la cual doy fé conocido y dijo:
que hallándose enferma en el partido del Cerro
otorgó su testamento por ante mí en veinte y cinco
de Abril del presente año al cual ha deliveredo
variar algunas cosas, y aumentar otras, y poni-
éndolo en ejecución por vía de Codicilo, o en la
mejor forma que haya lugar por derecho declara
lo siguiente. = Que en consideración a estar para
llegar a New York su hermano Dr. Juan Capó
uno de los que tiene instituido por sus herederos,
y a cuyo puerto también se dirige la otorgante
por el Bergantín Andres Jackson, y pareciéndole
mas propio que el nombramiento de primero
albacea que por el citado testamento hizo en el
Sñr. Sñr. Dr. Carlos David Tolme recaiga en uno de
su familia, desde luego nombra el citado su hermano
Dr. Juan Capó en lugar del dicho Sñr. Tolme sin que
por esto por esto se entienda de ningún modo que haya
desmerecido del buen concepto que se merece le es
debido por su provida y justa reputación; pues ya
deja indicada la causa que le mueve a esta alter-
ación considerando además que el referido su her-
mano se resentiría fundadamente cuando estando
para incorporarse con la que habla se valiera
de un extraño y acaso esto la lastimaría su opini-
on en el modo de pensar de algunos. = Declaro ser
su voluntad que en el caso de que fallezca en su

navegación desde este puerto al de New York se entregue
en a Dr. Maria Lyon que la acompaña en este viaje quini-
entos pesos que en tal evento le lega y dona para darle una
prueba de su gratitud el esmero y cuidado que supone le
prestará en la asistencia de su enfermedad y persona,
debiendo advertir que ya le ha satisfecho hasta la fecha
la cuenta que le ha presentado por tres meses que ha es-
tado en la casa de su morada en el Cerro. Ultimamente
declara: que tiene satisfecho todos sus gastos y que a nadie
debe nada, y que si apareciera lo que no es de esperarse,
caso de morir en el viaje, algún papel o documento de don-
ación o donación o manda dirigida alteran su disposi-
ción testamentaria expresada. = Segregando de sus bienes
la menor parte además de dichos quinientos pesos, se tendrán
por de ningún valor ni efecto en la firma, e inalterable
resolución en que va de no hacer durante su viaje la men-
varación de lo hecho hasta esta fecha. = Todo lo cual quiere
que valga en la vía y forma que mas haya lugar por derecho
revocando y anulando dicho testamento en todo lo que fuere con-
trario a este Codicilo: y en lo que sea conforme y en todo lo
demás lo aprueba y ratifica para que se estime por su
última deliverada voluntad. En cuyo testimonio asi
lo otorgó y ratificó, no firmó porque no pudo hacerlo a
causa de estar impedida del pulso, y a su ruego lo
hizo uno de los testigos que los fueron Dr. Fernando
Clark, Dr. Benancio Basave, y Dr. Jorge M. Salden
vecinos presentes. = A ruego de la otorgante y como
testigo = F. Clark = Ante mí Juan de Entralgo =

Translation

Will. . . . In the name of God Almighty Amen
Be it known that I, M^{rs} Catherine Capó Roberts
a resident of this city, a native of London, lawful
daughter of M^r William Capó and Frances Bierch-
grew deceased; being ill in health, but of sound
judgment, full memory, and in my natural under-
standing, which God has been pleased to grant me, be-
lieving as I firmly and truly do, in the mystery of the
most Holy Trinity, and in every thing which is preached

- and taught by our Holy Mother Church the Catholic Apostolic Church of Rome, in which faith and belief, I have lived and profess to live until my death as a Catholic and faithful Christian, being fearful of death and desiring to be prepared whenever it may occur, have determined to make my Will, for which purpose invoking Divine Grace and protection, I make and publish it in the manner following. — Firstly, I recommend my soul to God, our Lord, who gave it to me, created and redeemed it with the infinite price and value of his most precious blood; my body I commit to the earth, and after my death it will be buried according to the direction of my Executors. —
- 2 I direct that three masses should be said for my soul, and that the customary alms should be given for the bequests required by law, including the one known as the Patriotic, established by Royal Decree.
- 3 I declare that I am the widow and universal heir of Mr. Cornelius Roberts, of which marriage there has been no issue. — I declare as my property a claim which I have against Don Francisco Bermudez Honor, a resident of the City of Matanzas, amounting to the sum of six thousand nine hundred and sixty six dollars as appears by a public document.
- 5 I declare also that I am entitled to various sums arising from the sale of the plantation called Catalina which I sold together with my said husband to Colonel Don Cecilio Gyllon, — which plantation consists of land situated in San Antonio de la Abogada Township of Guanajayabo; and the deed of sale for which plantation is being prepared for the purchaser.
- 6 I declare that I have more several shares in different Banks and public institutions in the United States of North America, and some money in the Bank of Morgan, Hethum and Company of New York, with which particular Mr. Charles David Tolme, the British Consul in this City of Havana who has my general power of Attorney is well acquainted. — And for the purpose of carrying into effect the aforesaid matters

I appoint as my executors, in the first place the aforesaid Charles David Tolme, and in the second place Colonel Don Cecilio Gyllon, to whom I confer all the power and authority required by law, extending to them the time fixed by law. — And of the residue of all my property, moveables, rights and actions appertaining to me by any title, or for any reason whatever, I appoint and institute as my sole and universal heirs my brothers and sisters William Capps, Charles Capps, John Capps, Elizabeth Capps, married to Mr. Malto, and Frances Capps, who is also married but I do not know to whom, and Ann Capps, likewise married but to whom, I do not know, and all of whom reside in England; in order that they may possess and enjoy all with the blessing of God. — And I do hereby revoke and annul all and every other will, codicils, powers, memoranda, or other dispositions which I may have made before this in writing, or otherwise for the purpose of executing a will, all which I wish should be null and void, except those present which must be kept and fulfilled in all its parts as my last and deliberate Will, in the manner and form most proper at law.

In Testimony whereof, I have executed these presents in the said faithful City of Havana on the twenty fifth day of April, one thousand, eight hundred and thirty-eight. — I the Notary public do certify that I know the Testatrix, who appears to be in her sound judgment, and full memory, and that she thus declared and executed these presents, and signed them before the witnesses in this Township del Cerro, — the Reverend Don Francisco Romero, the Licentiate Don Juan Yila, and Don Francisco Goivy who are present — Note that at the time of the execution the Testatrix could not sign her name on account of weakness and the trembling of her hand, and at her request, it was done by one of the aforesaid witnesses — at the request of the Testatrix, as witness Francisco Romero, before me Juan de Entralgo

Council. — In the ever faithful City of Havana, on the fifteenth day of June, one thousand, eight hundred, thirty eight, before me the Notary Public and the witnesses appeared *M^{rs} Catherine Capa Roberts*, a resident of the said City, and who I certify is known to me, and she declared that being in ill health in the Town Ship *del Cerro*, she executed her Will before me on the twenty fifth day of April of the present year, to which Will she has determined to make some alterations, and to make some additions, and putting such determination into execution in the form of a Council, or in the manner most proper at law, she declares, as follows; That as her brother *M^r John Capa*, one of those whom she has named as her heirs, is about arriving at New York, to which Port the Executive is also going on board of the Brig *Andrew Jackson*; and it appearing to her that the appointment of joint executor which she made in said Will in the person of *M^r Charles David Tolme* should fall upon a member of her family, she does hereby appoint her said brother *M^r John Capa* in the place of *M^r Tolme*, it being understood that the change is not made because she has altered the good opinion which she had of the said *Tolme* and to which he is entitled on account of his respectability and good reputation, — as she has declared the reasons which induce her to make the change, it appearing to her likewise that her said brother would be justly offended if when he was coming to meet her, she would prefer a stranger to him, and that this might impair the good opinion which others have of her. — She declares that it is her Will that in case she should die at sea — while going ^{from} this Port to that of New York, the sum of five hundred dollars should be given to *Mary Lyon*, who attended her during said voyage; which sum she bequeathes to her as a proof of her gratitude for the attention and care which she supposes the said *Mary Lyon* will bestow on her during her illness; although she remarks that she has paid to her, up to this date the bills presented for three months, during which she has been at her house at *Cerro*. — And finally she declares that

she has paid all debts which she has contracted, that she owes nobody, and that if in case of her death, there should appear (which is not to be expected) any paper or document, setting forth a debt, or any other donation, or legacy altering her testamentary disposition and disposing of the least portion of her property besides the aforesaid five hundred dollars, they shall be considered of no force or effect, as she is firmly resolved not to make during her voyage the least alteration in what she has executed up to this date — All which it is her Will should be valid in the manner and form most proper at law; and she revokes and annuls said Will in all respects in which it is contrary to this Council, and in whatever respects they agree, and in every other respect she approves and ratifies the same that it may be considered her last and deliberate Will.

In Testimony whereof, she thus executed and ratified it, — she did not sign on the account of the trembling of her hand; but at her request it was done by one of the witnesses, — which witnesses were *Don Fernando Clark*, — *Don Juan Basave* and *M^r George Melacion* residents of this place and now present at the request of the Testatrix as witnesses — I declare.
Before me *Juan De Entralgo*.

State of New York 3
In Chancery - 3 I certify that I have compared the preceding Copy given, Will and the Council of *Catherine Roberts*, in the Spanish Language, and English translation thereof with the exemplification and record in my office, and that the same are correct transcripts therefrom.



In Witness whereof I have hereunto subscribed my name and affixed the seal of the Court of Chancery of our said State, at Albany the twentieth day of October, one thousand, eight hundred, & forty

John M Davison Register

State of New York
Richmond County 3 I do hereby certify, that I have compared the preceding records of the Copy Book, Will and the Codicil of Catherine Roberts, in the Spanish language and English translation thereof, with the exemplification and certified copy thereof under the Seal of the Court of Chancery, on file in my office; and that the same are a correct record therefrom. — Also a correct record of said certificate of the Register of the Court of Chancery, attached to the said exemplifications.

and further certify that on the twenty third day of October 1840. Personally appeared before me John Cady an Executor in the said Will & Codicil named and were duly sworn to the office of Executor by taking the usual oath in such cases required, and that Probate of the said Will was granted, and a letter testamentary issued to the said John Cady, on the estate of the said Catherine Roberts, deceased.

In Witness Whereof, I have hereunto subscribed my name, the twenty fourth day of October, one thousand, eight hundred & forty.

Rich^d Crocker. Surrogate

In the Name of God. Amen. I Isaac -
Bray, of the Township of Westfield, Richmond, Coun-
ty and State of New York, being weak in body, but of
Sound mind and memory, Bless'd 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 unto the hands of Almi-
ghty God, who gave it, and my body to the Earth to be
buried in a decent Christian like manner by
my Executors herein mentioned. — And as touch-
ing such worldly estate as I may be possessed of
I dispose of the same in the following manner. —
I give and bequeath unto my Grace Daughter —

Phoebe Bedell, one feather bed, to be given unto her immediately after my decease, — I then order and direct my Executors herein named to sell and dispose of all my Real and Personal estate as soon as convenient after my decease — And I do hereby give them full power and authority to sell and convey my said Real estate in as good and lawful manner as I myself might, or could do were I actually present, and as good lawful and sufficient deeds for the same to give to the purchaser or purchasers thereof. — And after such sale is made, I order my said Executors to discharge ^{all} my lawful debts, — And the residue and remainder of the proceeds of said sale, I order shall be appropriated for the use of my wife Elizabeth during her life time, and after her decease whatever should remain of said monies, I order shall be divided share and share alike between my two daughters, Mary, Elizabeth wife of James Butler, and Susannah wife of John Beall to be paid to them immediately after the decease of my said wife Elizabeth. — And lastly, I appoint and constitute James Butler and John Beall my sons in law, and my friend William Snee, Executors of this my last Will and Testament, hereby ~~renewing~~ ^{renewing} and making my Will and Voice all former Wills by me made.

In witness whereof, I have hereunto set
my hand and seal, the twenty seventh day of
July, in the year of our Lord, one thousand
eight hundred and forty. his D. (S)

Isaac ^{his} x Pray 
mark

Published, pronounced and declared by the said
Isaac Pray as his last Will and Testament, in the
presence of us Witnesses thereto.

Daniel Simmons, of the town of Westfield.
William & Shea, of the City and County of New York.
George ^{his} & Simmons
made

State of New York

Richmond County. 3rd. Be it remembered that a Surrogate's Court held in and for the County of Richmond, at the Surrogate's Office in the said County, the nineteenth day of September, one thousand eight hundred and forty. — Present. Richard Crockeran, Surrogate. In the matter of Proving the Will & Testament of Isaac Bray, late deceased. —

On reading and filing the Petition of Daniel Butler & John Beacell, pro-pounding the Will of the said Isaac Bray deceased, it is ordered that a Citation issue to the heirs, widow and next of kin of the said deceased, in pursuance of said petition, returnable the twenty eighth day of September instant, two o'clock, in the afternoon.

Be it also remembered, that a Surrogate's Court held in and for the said County of Richmond, at the place aforesaid the twenty eighth day of September, 1840. before the said Surrogate.

In the matter of proving the last Will & Testament of Isaac Bray late of Westfield in the said County, deceased.

Daniel Butler & John Beacell the pro-pounding of the said Will appeared, and returned the citation before the said Surrogate to the widow & next of kin to attend the probate of said Will, and said Butler made oath of the service thereof. — Whereupon the said Court being satisfied that the proceedings, on the petition pro-pounding the said Will, have been conducted as required by law, — on filing the said petition and oath of service, leave was given the said Butler & Beacell to prove the said Will. Rich^d. Crockeran, Surrogate.

In the matter of Proving the last Will & Testament of Isaac Bray, deceased. —

Daniel Simonson of Westfield being sworn deponeth and saith, that he did see the said Isaac Bray, late deceased, sign and seal the instrument now shown him purporting to be the last Will and Testament of the said deceased, bearing date the twenty seventh day of July, in the year of our Lord

1840, eight hundred and forty; and he saw 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 not under any restraint to the best of the knowledge and belief of this deponent, — and that he the said deponent together with William J. Shea & George Simonson the other subscribing witnesses to the said Will, subscribed their names to the said Will as witnesses, at the request and in the presence of the said Testator and in the presence of each other. Signed. Daniel Simonson. — Sworn the 28th day of September 1840. before me. — Rich^d. Crockeran, Surrogate.

Richmond County, Jr. William J. Shea of the City & County of New York, being sworn, deponeth and saith that he did see Isaac Bray, late of the Town of Westfield, deceased, sign & seal the instrument now shown him purporting to be the last Will & Testament of the said deceased, bearing date the twenty seventh day of July, in the year of our Lord, one thousand eight hundred and forty; that he heard the said deceased publish and declare the said instrument as and for his last Will and Testament; that at the time thereof the said deceased was of sound disposing mind and memory and not under any restraint, to the best of the knowledge and belief of this deponent; and that he the said deponent together with Daniel Simonson and George Simonson the other subscribing witnesses to the said Will, subscribed their names thereto as witnesses, at the request and in the presence of the said Testator and in the presence of each other.

William J. Shea

The foregoing proofs and examinations taken before me the Surrogate aforesaid, at the time and place first mentioned, and the depositions of the respective witnesses, whereby they respectively subscribed, after having been carefully read to them. — And I the said Surrogate being satisfied upon the proof taken, that the said Will was duly executed, that the said Testator at the time of executing the same was in all respects competent to devise real estate and not under restraint, do therefore allow the said Will, Proofs and examinations to be received, which said Will, Proofs and ex-

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aminations are herein before recorded and contained
Witness. Richard Crockeron, Surrogate aforesaid, the
day and year first aforesaid.

Rich^d. Crockeron. Surrogate

State of New York, Richmond County. As
Be it remembered, that a Surrogate Court, held in
and for the County of Richmond, at the Surrogate office
in the said County the twenty eighth day of September
one thousand, eight hundred and forty, before
Richard Crockeron, Surrogate of the said County, the
last Will and Testament of Isaac Pray late of the said
County, deceased, (of which the foregoing is a copy) was
admitted to Probate, after a citation to the Widow and
next of kin, duly issued, served, returned and filed
according to law. — Whereupon at the place and on
the day aforesaid Daniel Simonsen & William J. Shea
two of the subscribing Witnesses to the said Will was au-
thorized by the said Surrogate, and testified that they
did see the said deceased, execute the said instrument
that they 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 not under any restraint, to the best of their knowledge
and belief, and that they subscribed the said Will as
Witnesses at the request and in the presence of the said
Testator. — Whereupon I the said 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 the executor in the said Will named
on their taking and subscribing the oath of office prescribed
by law.

Rich^d. Crockeron. Surrogate

Be it also remembered that on the said twenty eighth
day of September, personally appeared before me Daniel
Butler, John Beall & William Shea, the executors named
in the said Will of the said Isaac Pray, and were au-
thorized to the office of Executors.

Rich^d. Crockeron. Surrogate

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In the Name of God. Amen. I Patience
Lake of the town of Westfield, in the County of Richmond
and State of New York. — Relict of William Lake late of
Southfield in said County, deceased; — Considering the
uncertainty of this mortal life, and being of sound and
perfect mind and memory — blessed be Almighty God
for the same. — Do make and publish this my last Will and
Testament in manner and form following. — That is to say.

First. I give and bequeath unto my son Joseph Ralph,
the sum of five hundred dollars. — But in case my said
son Joseph should die before me, then and in such case
it is my Will that his legacy shall be equally divid-
ed among his Grand Children share and share alike. —

I do also give and bequeath unto my daughter Sarah
Journey and to her heirs, the sum of five hundred
dollars, (that is to say) my Executors hereafter named in
hereby required to put the said sum of five hundred dol-
lars so left to my said daughter Sarah out at interest on
good security, and are also required to pay unto my said
daughter Sarah the interest arising therefrom, yearly and
every year during her natural life; and after her decease the
said sum of five hundred dollars and what shall remain of
the interest thereof, if any to be equally divided among the
heirs of my said daughter Sarah Journey share and share
alike. — But in case my son in law Robert Journey should
die before me then it is my Will that my said daughter
Sarah Journey shall have, the said sum of five hun-
dred dollars, any thing above written to the contrary
notwithstanding. — I also give and bequeath unto
my daughter Sarah my smallest Carpet with a piece
of new carpeting I bought to be added to it. — I do
also give and bequeath unto my daughter Ann An-
drews and to her heirs, the sum of five hundred dollars,
that is to say, my Executors hereafter named are
by required to put the said sum of five hundred dol-
lars so left to my daughter Ann Andrews out at interest
on good security, and are also required to pay unto
my said daughter Ann Andrews the interest arising
therefrom yearly and every year during her natural life.

And after her decease the said sum of five hundred
 dollars and what shall remain of the interest, if any,
 to be equally divided among the heirs of my said daughter
 Ann Amossett there and there alike. — I also
 give and bequeath unto my daughter Ann Amossett
 my feather bed and my largest carpet. — I do
 also give and bequeath unto my Grand son Leonard
 Journey the sum of fifty dollars. — I do also give and
 bequeath unto my Grand son Benjamin Cole Amossett,
 the sum of fifty dollars. — I do also give and bequeath
 unto my daughter Ann Amossett, during her natural
 life my bureau, and after her decease, it is my Will
 that my Grand daughter Patience Amossett shall have
 said bureau. — I do also give and bequeath unto my
 said Grand daughter Patience Amossett my Tea Table
 which is not inlaid with white. — I do also give and
 bequeath unto my Grand daughter Ann Amossett my
 Tea Table which is inlaid with white. — I do also give
 and bequeath unto Peter William Ralph, son of my
 Grand son Peter Ralph fifty dollars; but in case the
 said Peter William Ralph should die before he arrives
 to lawful age then such fifty dollars to go to his sister.
 — I also give and bequeath unto my Grand daughter
 Ann Journey, a large spread. — I do also give &
 bequeath unto my Grand daughter Ann Amossett my
 large looking glass. — I do also give and bequeath un-
 to my Grand daughter Ann Amossett sixty two dol-
 lars and fifty cents. — I do also give and bequeath unto
 my Grand daughter Patience Amossett, sixty two dollars
 and fifty cents, and if either of my said Grand daughters —
 namely, Ann, or Patience Amossett should die before they
 come of age without lawful issue, such share or shares to go
 equally to the survivor, or survivors of the daughters of my said
 daughter Ann Amossett. — My said executors hereafter men-
 tioned are also required to put out the two last mentioned legacies
 on interest, on good security, and to pay them as aforesaid, as
 they come of lawful age with the interest. — I do also give
 and bequeath unto my Grand daughter Mary Louisa Jour-
 ney my brass and iron, tongs and shovel and sixty two
 dollars and fifty cents. — I do also give and bequeath

unto my Grand daughter Ann Journey sixty two dollars and fifty
 cents; — and my said executors hereafter named are also required to
 put out the two last mentioned legacies on interest, on good security, and
 to pay them as they come of lawful age with the interest; — But in
 case either of my said Grand daughters, namely, Mary Louisa
 or Ann Journey, should die before they come of age without
 lawful issue, such share, or shares to go equally to the survivor
 or survivors of the daughters of my said daughter Sarah Journey.
 — My said executors hereafter named are also required to
 put out the two last mentioned legacies on interest, on good
 security, and to pay them as aforesaid. — I do also
 give and bequeath unto my niece Patience Lake one pair
 of sheets, one pair of pillow cases, one Table cloth, Figure M & O.
 — I do also give and bequeath unto my niece Patience Mc-
 Lean, one pair of sheets, one pair of pillow cases and one Table
 cloth, Figure M & O. — I also do give unto my daughter
 Sarah Journey my Down Bed. — And I do also give and
 bequeath unto my two daughters Sarah Journey & Anne
 Amossett all my wearing apparel, linen and beer-
 clothes, (not before will'd) there and there alike. — I do
 also give and bequeath unto my daughter Ann Amos-
 sett a half dozen Silver Tea spoons, the largest, during
 her natural life, and after her decease to go to my Grand
 daughter Ann Amossett. — I do also give and bequeath
 unto my Grand daughter Mary Louisa Journey a half
 dozen Silver Tea spoons. — I do also give and bequeath
 unto my Grand daughter Ann Amossett my looking
 glass. — I do also give and bequeath unto my two daugh-
 ters Sarah Journey and Ann Amossett all my china and
 earthen ware, there and there alike. — I do also give
 and bequeath unto my son Joseph Ralph, my large chest. — I
 do also give and bequeath unto my said daughter Mary Louisa
 Journey my spinning wheel. — The legacies left to my
 said daughter and Grand children, to be put out as aforesaid
 on good security and to be paid with the interest as aforesaid.
 — The legacy left to my son Joseph Ralph to be paid
 to him within eighteen months after my decease. — I do
 also pray that all my just debts and funeral expenses be
 first paid. — And lastly, I do hereby nominate, constitute
 and appoint my son Joseph Ralph and my two friends

Abraham Cole and John B Cole, Esquires, to be the Ex-
ecutors of this my last Will and Testament, hereby
revoking all former Wills, by me made.

In witness whereof, I have hereunto set my hand
and seal the twenty fourth day of August, in the year of our
Lord, one thousand, eight hundred and thirty.

It is my Will and I do order that eighty dollars be
retained in the hands of my Executor, for four years, namely,
one for myself, one for my son, and one for each of my
Daughters of White Marble. *Patience Lake* *her mark* *Edw Lake*

Signed, sealed, published and declared by the above
named Patience Lake, to be her last Will and
Testament, in the presence of us, who have hereunto sub-
scribed our names as witnesses in the presence of the Testa-
atrix, and also in the presence of each other

Nathaniel Bodine, of Northfield. Farmer

Sophia Conner of Castleton.

Richard Conner of Castleton. Yeoman

State of New York

Richmond County

Be it remembered that a
Surrogate's Court held in and for the County of Rich-
mond, at the Surrogate's Office in the said County the
nineteenth day of October, one thousand, eight hun-
dred and forty. Present, Rich^d Crockeran, Surrogate.

In the matter of proving the last Will and
Testament of Patience Lake, late deceased.
On reading and filing the Petition of John B Cole
propounding the Will of Patience Lake, & elect of Wil-
liam Lake, late of Northfield, in said County, as?

It is ordered, that a Citation issue to the next of kin
of the said deceased, in pursuance of said petition, re-
turnable the 31st day of October instant 10 o'clock in
the forenoon.

Be it also remembered, that a Surrogate
Court held in and for the said County, at the place afore-
said, the thirty first day of October 1840. before the said Sur-
rogate. — In the matter of proving the last Will and

Testament of Patience Lake, deceased. — John B Cole the propound-
er of the said Will appeared, and made return of the Citation to
the next of kin of the said deceased, to appear and attend the Pro-
bate of the said Will, and made affidavit of the due service thereof
on the said next of kin. — Whereupon the said Surrogate being
satisfied, that the next of kin of the said deceased have been duly
cited to attend the Probate of said Will as required by law, on
filing the said Citation and affidavit of service, leave was given
to the said John B Cole to prove the said Will.

Rich^d Crockeran, Surrogate

State of New York
Richmond County

In the matter of proving the last Will &
Testament of Mrs Patience Lake, deceased.

Richard Conner of Castleton, in said County, being
sworn deposeth and saith, that he did see the said de-
ceased, sign and seal the instrument now shown
him, purporting to be the last Will and Testament of
the said deceased, bearing date the twenty fourth day
of August, one thousand, eight hundred and thirty.
that he heard the said deceased publish and declare
the said instrument as and for her last Will and Tes-
tament; that at the time thereof the said deceased was
of sound disposing mind and memory and not un-
der any restraint, to the best of the knowledge and belief
of this deponent. — and that he the said deponent together
with Nathaniel Bodine and Mrs Sophia Conner the other
subscribing witnesses to the said Will, subscribed their names
to the said Will as witnesses at the request and in the presence
of the said testatrix, and in the presence of each other. —
and this deponent further saith, that the said Nathaniel
Bodine, the said subscribing witness, departed this life
some years since. — and this deponent further saith,
that Sophia Conner the other subscribing witness to the
said Will is now well and quite infirm and that the solemn
oath out of the house.

Signed. Richard Conner

Sworn the 31st day of October 1840. before me. Richard
Crockeran, Surrogate.

State of New York
Richmond County.

Be it remembered that a Surrogate Court held in and for the County of Richmond at the Surrogate office in said County, the thirty first day of October, in the year of our Lord, one thousand, eight hundred and forty, before Richard Crocker, Surrogate of the said County, the last Will and Testament of Catherine Lake late of the said County, deceased, (of which the foregoing is a copy) was admitted to Probate after a citation to the next of kin of the said deceased, duly issued returned and filed according to law. — Whereupon at the place and on the day aforesaid Richard Crocker one of the subscribing Witnesses to the said Will being sworn by the said Surrogate, testified that he did see the said deceased execute the said instrument, that he 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 not under any restraint to the best of his knowledge and belief, and that he together with the other subscribing Witnesses to the said Will subscribed their names thereto, in the presence and at the request of the Testatrix. — Whereupon I the said Surrogate upon the proof aforesaid being satisfied of the genuineness and validity of the said Will, took and did the said Will together with the Copy thereof, which Will and Copy is herein before recorded and contained; and that the said Will be admitted to Probate and that letters Testamentary thereon be granted to John B. Cole and executor after provided in said Will. (Joseph Ralph & Henry Cole the other executors, refusing to serve) On his taking and subscribing the oath of office prescribed by law.

Richard Crocker, Surrogate.
Be it also remembered that on the said thirty first day of October, 1840. the said John B. Cole, the executor aforesaid personally appeared before me, and was duly sworn to the faithful performance and execution of the said Will of the said Catherine Lake, by taking the usual oath in such cases prescribed.

Richard Crocker, Surrogate.

Be it remembered that I Catherine Bodine of Northfield, County of Richmond & State of New York, widow of John Bodine, Senior, deceased, late of Castleton, County and State aforesaid, — considering the uncertainty of this mortal life, and being of sound and perfect mind and memory, for which I give thanks to Almighty God, do make and publish this my last Will and Testament, in manner & form following. — That is to say. — First of all, I humbly commend my soul and body to the Word of God's grace trusting for salvation thro. the merits and righteousness of our divine Redeemer. — As it regards my worldly goods, I dispose of them as follows — After the payment of my funeral expenses, and all my just debts, which I order to be paid out of my estate, and a white marble slab erected at my grave, with a suitable inscription thereon. — I do give, devise and bequeath, all my estate of every kind and all my right and title to, and interest therein, to my two daughters, Martha and Ann, now living — with me. — To have and to hold to them, their heirs and assigns forever. — That is to say, after the manner of my late husband's Will, — One half equal part or moiety, of all my Real and Personal estate, I give to my friend and my deceased husband's friend Peter Van Pelt, in trust for my daughter Martha, — the other and remaining half equal part or moiety, I give to my said daughter Ann, to be theirs, and to belong to them, and their assigns forever. — And lastly I do appoint, the Rev^d Doctor Peter J. Van Pelt said Executor of this my last Will & Testament thereby revoking all former and other Wills, by me made.

In witness whereof, I have hereunto set my hand and seal, the twenty sixth day of May, in the year of our Lord, one thousand, eight hundred & thirty six. — 1836.

Witness, sealed, published & declared by Catherine Bodine the above named Catherine Bodine, to be her last Will and Testament in the presence of us, who at her request, in her presence

and in the presence of each other
have subscribed our names as wit-
nesses to the same —

Abraham Houseman of Easttown

Holten Island

Ethel Wood, of Easttown

Holten Island

Attested — P. J. Van Pelt

State of New York

Richmond County

Be it remembered that a Surrogate Court held in and for the said County at the office of the Surrogate, the fifth day of July, one thousand eight hundred and thirty nine.

Present, Richard Crocheran, Surrogate

In the matter of the last Will and

Testament of Catherine Boaine, deceased

Peter J. Van Pelt

the Executor and trustee appointed in and by the said Will, appeared in Court, and executed & pronounced a renunciation of his appointment, as follows.

To Richard Crocheran, Esq., Surrogate of the County of Richmond, — Whereas, I the Subscriber am named and appointed, sole Executor, in the last Will and Testament of Catherine Boaine, deceased, widow of John Boaine, late of said County, deceased, — and also appointed trustee in and by said Will. — I do hereby renounce all my right and claim to act as Executor of said Will, and also the appointment of Trustee made therein — Dated July 5, 1839. — P. J. Van Pelt.

Be it also remembered, that at the said Surrogate Court, held as aforesaid, — In the matter of proving the last Will and Testament of Catherine Boaine, deceased.

On reading and filing the Petition of Mrs Boaine pronouncing the Will of the said deceased. — It is ordered that a Citation issue, to the next of kin and heir at law of said deceased, in pursuance of said Petition, returnable the twenty sixth day of August next at the hour of Ten o'clock in the forenoon.

Be it also remembered that a Surrogate Court held in and for the said County, the 26th day of August 1840.

before the said Surrogate. — In the matter of Proving the last Will and Testament of Catherine Boaine, deceased. — John Wallis, Esq., appeared as the Attorney & Counsel for the Applicant for proof. — Jacob & Vincent Boaine, heirs appeared. T. Cherry Esq. Counsel for said Jacob. also appeared, to oppose the proof. — The Citation to the heirs at law & next of kin, having been duly returned on oath of its due service, — The said Court being satisfied that the heirs at law & next of kin of the said Cath. Boaine, have been cited to appear & attend the Probate of said Will as required by law, — on filing the said Citation & proofs of service leave was given to proceed in the proof of said Will.

In the matter of proving the last Will & Testament of Catherine Boaine, deceased

Peter J. Van Pelt. sworn. — I, the signature P. J. Van Pelt subscribed to the Will of Cath. Boaine, deceased, now shown to you bearing date the 26th day of May 1836, attesting the execution of the same, is it your hand writing. — Ans. Yes it is.

Q. did Mrs Cath. Boaine sign, seal, publish & declare the said instrument as and for her last Will & Testament, in your presence. — Ans. She did. — Q. Was she of sound disposing mind and memory at the time of executing said Will. — Ans. Yes. — Q. Was she under any restraint at the time of executing the said Will. — Ans. I have no knowledge or belief that he was under any restraint.

Q. Was said Will executed at the time it bears date. — Ans. It was. — Q. Who was present at the time said Will was executed with yourself. — Ans. Ethel Wood & Abraham Houseman, who subscribed said Will as witnesses. — Q. did she execute the Will in the presence of the other witnesses as well as yourself. — Ans. She did. — Q. As you knew who wrote the words Catherine Boaine & her mark, opposite the seal of said Will. — Ans. I do. I wrote them myself, at the time the Will was executed. — Q. By whose request did you write the name Catherine Boaine and her mark to said Will. — Ans. By the request of Catherine Boaine the Testatrix. — Q. Was this Will truly read to Catherine Boaine before she executed it. — Ans. It was truly read to her and more than once before she executed it. — Q. did she

make she make the cross between the words Catherine Bodine
opposite the seal, with her own hand, — And she did, — Q. at
Whose request did you and the other witnesses, sign the said
Will as witnesses. — And By the request of said Mrs Bodine
Signed. — P. J. Nearfelt
Cross exam? on the part of the heir. — Q. Next, In whose
hand writing is this Will. — And In my hand writing.
Q. When was it drawn up. — And In my own house — Q.
was Mrs Bodine ^{then} present. — And she was not. — Q. how
long was the Will drawn before it was executed by her. — And it
was not long after this was written before it was executed. —
Q. About how long to the best of your judgment, — And about
2 or 3 weeks to the best of witness judgment, — has kept an ac-
count of it. — Q. How long before you wrote this Will, did you
talk to you on the subject of making her Will. — And some
months, it was after the sale of the place, her husband having
stea to Judge Edwards, which was some months before the
Will was executed. — Q. When did you read this Will to the
Testatrix. — And Previous to her executing it, I can't say the
day or week. — Q. You have stated in your direct ex-
amination it was read to Testatrix more than once, when
was the Will last read to her. — And On the day she executed
it. — Q. Who read it to her. — And I did. — Q. When was
present the last time before the execution of said Will.
when you read it. — And, no person but themselves, witness
went into a room with her, asked her if she was still of
the same mind respecting her Will, she said she was, and
he read it. — Q. Where were the witnesses Etel Wood and
John Housman at the time it was so read to her the last
time before the execution. — And They were not in the room
at the time, — They were sent for and came in the room af-
ter it was read. — Q. When and where did you write the
words Catherine Bodine and her mark to the said Will.
And at her house and about the time the Will was executed
as near as witness recollects. — Q. Was it after you had
read it to her. And It was. — Q. When was the draft put to it.
— And at the time of its execution. — Q. Were the witnesses
there at the time you wrote the words Catherine Bodine and
her mark. — And witness implies they were there in the
then room. — Q. Did you sign your name as a witness

in Testatrix presence. And witness implies he did not. — Q. did you
sign it in the presence of the other witnesses. — And witness don't think he
did. — Q. Where did you sign it as a witness. — And witness implies
you it was ^{and} at his own house, it might have been at the house of the
Testatrix, is not certain. — Q. did she request you to sign your name
as a witness. And after she had made her cross Testatrix said she
is now of my mind, you see what I have done, Mr Wood &
Housman and yourself are witnesses to it. — Q. did she request
you to sign the Will as a witness. — And she requested me no
other way than above stated, as far as I recollect. — Q. did you
write any thing to this Will, in the presence of the witnesses.
And he is not certain, he filled in the date in the presence of
the witnesses, or before they came in, it was done at the house
of the Testatrix. — Q. Was your name subscribed as a witness, at
the time she said you see what I have done, and you are
witnesses. — And It was not, I do not think it was. — Q. Was
Testatrix present at the time you signed your name as a
witness. — And he has no distinct recollection on the subject.
— Q. have you any recollection, when & where you set your
name to the Will as witness. — And I have not. — Q. did you
ever draw any other Will than this for the Testatrix. — And
I just drew a draft and read it to her, and then wrote the
one executed, a copy of the draft. — Q. have you got that
draft. — And he does not know, it may be among his
papers, it may be destroyed. — Q. When did you last see it.
— And, about the time the present Will was copied. — Q.
did you then leave it among your other papers. — And am not
certain what was done with it, he had the draft with him at
the house of the Testatrix, at the time the Will in question was
executed. — Q. Was the Will an exact copy of the draft. — And It
was. — Q. did you read the draft of the Will to Testatrix at the time
of the execution of the Will. — And did not read it verbatim at
the time, had previously read it to her several times, but stated
the contents of it. — Q. After you stated the contents of the draft
did you read the Will to Testatrix. — And witness did read the
Will. — Q. how many times did you read the draft to Testatrix, prior
to the time she executed the Will. — And Two or three times as near
as witness recollects. — Q. What distance of time were between the
several readings of the draft. — And In some cases days and others
should say two or three weeks. — Q. Were does it you read the

draft to Testatrix. — Ans. The first time at her own house the homestead before she moved, and afterwards at the house she moved to. — Q. did she approve of it. — Ans. Yes always. — Q. did you carry that draft with you always. — Ans. Not always. — Q. When she approved it the first you read it to her why did you not then copy it & have it executed immediately. — Ans. First it was not well written. — 2^d Witness had no strong desire to do it, but had rather be let off & thence having a multiplicity of engagements. — Q. Why did you read it to her the second and third time. — Ans. from an apprehension she might change her mind, as her husband had done, Witness having wrote 5 or 6 Wills for him. — Q. did you ever after it was executed read it to her, under an apprehension she might change her mind. — Ans. I was on topic of conversation more than once or twice, and she always approved, but did not read it to Testatrix. — Q. was any person present at the time of these conversations, respecting her Will. — Ans. At one time no one was present at other times her daughters were in an out. — Q. did the daughters attend to the conversation. — Ans. Not particularly no questions were asked. — Q. The daughters referred to, are they the devisees under this Will. — Ans. They are. — Q. What became of the Will after it was executed. — Ans. It was sealed up in an envelope and handed to Witness for safe keeping by the Testatrix. — Q. how long did she live after the Will was executed. — Ans. It was executed in May 1836, & Testatrix died in December 1838. — Q. did you keep possession of the Will from the time it was executed, to the time you delivered it to the Surrogate. — Ans. does not know that he parted with it, until it was produced to the Surrogate for proof. — Q. did she at any time prior to her death inform you, or send to inform you that she was satisfied with the Will in question. — Ans. she did not. — Q. did she ever inform you, or send a person to inform you, she did not understand the contents of this Will. — Ans. no sir. — Q. are you not under promise or contract of marriage with either of the devisees. — Ans. I am not. — Q. was you at the time the Will was executed under a promise or engagement to marry one of the said devisees. — Ans. I was

not. — Q. do you know whether the Testatrix could write, or read writing. — Ans. does not know, has seen her read the Bible and other books in the transaction of business she always made her mark.

Signed. P. P. Van Pelt

Direct resumed. — Q. In your first examination you said you had no recollection of the time and place you signed the Will as a witness, do you mean to be understood you have no recollection, that you ever signed the Will as a witness, or how otherwise. — Ans. recollects he signed the said Will as a witness, but does not know that it was at the house of the Testatrix, or his own house, their houses are near each other, it was after he executed the said Will he signed it. — Q. where was it enclosed in the enveloped & sealed up. — Ans. at the house of the Testatrix. — Q. was it enclosed in an envelope and sealed up and delivered to you on the day it was executed. — Ans. It was not, thinks it was some time afterwards. — Q. did the Testatrix own and possess any Real estate at the time of her death. — Ans. I believe she did.

Signed. P. P. Van Pelt

Cross. ex. resumed. — Quest. Was this Will enclosed in a paper and sealed up by you a Testatrix. — Ans. has no distinct knowledge, but thinks it likely he did it at her request. — Q. On that occasion was it opened and looked into and read, before it was enclosed & sealed. — Ans. thinks it was only by best of his recollection. — Q. Was that the first meeting you had with her after the execution of the Will. — Ans. does not know, cannot recollect it. — Q. Was there any writing or signing by you or Testatrix on that occasion. — Ans. has no recollection of any. — Q. how long did the Will remain in your possession sealed up before it was opened. — Ans. Witness thinks some months after the Will was delivered to him for safe keeping — Testatrix requested to see it and was by him taken to her house and left with her. — It may have been broken open then but he is not certain. — Q. when you took it over to her, what did Testatrix say. — Ans. Witness has no distinct recollection, after the homestead was sold, the Testatrix and her two daughters, the devisees, talked of buying the Ludden place, it was agreed between them, that they should make their Wills and if either died the property should go to the survivor, he supposed the conversation related to that the just. — Q. Was this Will on that occasion read to the daughters the devisees. — Ans. It was not in Witness presence. — Q. when you took the

Will in question to the Testatrix, enclosed in the envelope, did she say any thing about said Will. — Ans. Yes Sir. Approving. — Q. What did she say. — Ans. It is as I thought it was, & am satisfied, we are agreed, it is all right, these are the words to the best of witness recollection. — Q. Did any body read it to her on that occasion. — Ans. Think that part respecting the legacies were read, but has no distinct recollection of it. — Q. Do you know who read it. — Ans. If read at all, it must have been read by witness. — Q. Was it read to the daughters. — Ans. They must have heard it, if read at all. — Q. Do you remember of seeing your name as witness to said Will at that time. — Ans. I can't say. — Q. When did you first discover your name to said Will as a witness. — Ans. Can't say, cannot recollect. — Q. Did you not discover your name as a witness to said Will, at the time of your offering the Will to the surrogate for proof. — Ans. Has no recollection that he saw his name to the will at that time. — Q. When did you first discover your name as a witness to said Will. — Ans. The first time it attracted his attention was, when the will was spread open for proof before the surrogate; has no distinct recollection of having seen it before. — I see the signature of my name to the said Will now, and know it to be my own writing

signed. — P. J. Van Pelt.

Etil Wood, of Castleton, Staten Island, one of the subscribing witnesses to the Will of Catherine Boaline, deceased, being sworn, says, that he did see the said deceased, sign and seal the instrument now produced, purporting to be the last Will and Testament, bearing date the twenty sixth day of May, in the year of our Lord, one thousand, eight hundred and thirty six, that he heard her publish & declare the said instrument as and for her last Will & Testament, that at the time thereof the said deceased was of sound disposing mind and not under any restraint to the best of the knowledge and belief of this deponent, that he the said deponent together with Abraham Housman the other subscribing witness subscribed their names thereto as witnesses at the request and in the presence of the said Testatrix and in the presence of each other

signed. Etil Wood

prop exam. on the part of Jacob Boaline, one of the heirs.

by P. Phiniz, Esq. Counsel for said heir. — Q. What did she say to her. — Ans. She had it in her hands, does not know that she read it, does not know that she could or could not read. — Q. How long was you there. — Ans. Was there three fourths of an hour, does not know positive, was there some time, witness went in the room where Mr Boaline was, thinks the Will was laid on the Table, Mr Boaline took the Will up, and said it was her last Will. — Q. Who was present in the room. — Ans. Mr Van Pelt & Mr Housman the other subscribing witness was present in the room. — After she said that the said instrument was her last Will & Testament, said very little more about it after she signed it. — Q. Did any body say any thing to her about the Will. — Ans. did not hear any thing said to his recollection. — Q. How long after she said it was her last Will, did you subscribe it as a witness. — Ans. Immediately. — Q. Did you read the Will. — Ans. No Sir. — Q. Did Mr Housman read it. — Ans. No Sir, don't think he did. — Q. Did you hear it read. — Ans. He did not. — Q. You say it was not read to deceased in your presence. — Ans. I was not read in witness presence. — Q. Did she, Mr Boaline, remain in the room all the time you was there. — Ans. She did. — Q. Was she there and did she see you sign it. — Ans. Yes. — Q. Did any person in your presence read the Will to her. — Ans. It was not read to her in witness presence

signed Etil Wood

Abraham Housman, being sworn, deposes & says, that he saw Catherine Boaline, late deceased, sign and seal the instrument now shown him purporting to be the last Will and Testament of the said deceased, bearing date the twenty sixth day of May, one thousand, eight hundred and thirty six. — Did hear the said deceased publish and declare the said instrument to be her last Will and Testament; that at the time thereof the said deceased was of sound disposing mind & not under any restraint to the best of the knowledge and belief of this deponent — that he the said deponent together with Etil Wood the other subscribing witness, subscribed their names thereto as witnesses in the presence of the testatrix and in the presence of each other, and further says it was either

the Testatrix or Mr Van Pelt that requested him to subscribe the said instrument as a witness.

Signed Abraham Howman
Crop exam^d, on the part of the heir, by P. Phelix Esquire
Quest. Where did you first see the said Will. — Ans. in the front room on the table, thinks Mr Van Pelt sat by the table.
Q. did Mr Van Pelt write any in your presence. — Ans. he did not as witness knows of. — Q. did you see the de^{ce} write her name to the Will. — Ans. I saw her make her crop, did not see her write her name. — Q. after she made her crop what did she say. — Ans. I heard her say this is my last Will and testament, and she requested the witnesses not to say any thing about it. — Q. how long was that after she put her crop to it. — Ans. I did not know particularly it might have been four or five minutes or more or less. — Q. did she say that, before or after you signed your name as a witness. — Ans. It was after he signed his name as a witness, thinks it was after. — Q. did she make any request of you. — Ans. Nothing more than she did not want me to publish it. — Q. did she make no other request of you, at any time, during the time that the Will was executed, other than a request not to publish it. — Ans. She did not to his knowledge. — Q. did you read the Will. — Ans. I did not. — Q. did he say to you to read the Will to her. — Ans. Not to witness know ledge.

Signed Abraham Howman

Direct examination. — Quest. How came you to be at the house of Mrs Bodine, the Testatrix, at the time the Will was executed. — Ans. She sent for me. — Q. what room of the house did you first go in. — Ans. Went in the kitchen. — Q. Is the kitchen the room in which the Will was executed. — Ans. It was not. — Q. Who asked you to go in the room where the Will was executed. — Ans. I do not know whether it was Mr Van Pelt, or Mrs Bodine the Testatrix, it was one or the other of them, they were both present. — Q. What was you informed, you was wanted for at the time you was sent for to the house of Mrs Bodine. — Ans. did not know what he was wanted for until after he got there. — Q. What was you there informed you was wanted for, after you got there. — Ans. to witness this Will. — Q.

about how long before the Will was executed was you thus informed. — Ans. I was asked in the room, and was then told by Mr Van Pelt or Mrs Bodine does not know which, he was wanted to witness Mrs Bodine's Will. — Q. Was Mrs Bodine present at the time you were told, you was wanted to witness the Will. — She was. — Q. Where was you at the time Mrs Bodine made her crop to the Will. — Ans. witness was sitting near the table, not more than three or four feet from it. Mr Van Pelt requested Mrs Bodine to move round that the witnesses could see her make her mark, thinks he rose up and saw her make her mark, witness did see her make her mark. — Q. did you and Mr Wood the subscribing witness, sign the Will after or before she had made her mark. — Ans. thinks it was after she made her mark. — Q. do you recollect what was said by Mrs Bodine after she had made her mark to the Will and before the witnesses signed it. — Ans. does not know what she said, he does not recollect, he might have known if he had paid attention, witness is forgetful. — Q. did you hear the Testatrix say that over her Will more than once, according to the last of your recollection. — Ans. witness is not certain it was more than once. — Q. Name all the persons that were in the room at the time the Will was executed. — Ans. Mr Van Pelt, Mrs Bodine, Ethel Wood & witness, does not recollect any others to his knowledge. — Q. Was Mr Van Pelt sitting by the table immediately before and at the time the Will was executed. — Ans. thinks he was. — Q. had Mr Van Pelt a pen in his hand any part of the time while sitting at that table. — Ans. not as witness recollects. — Q. Was your eyes fix ed on Mr Van Pelt, all the time, previous to the time Mrs Bodine made her crop on the Will, while Mr Van Pelt was then sitting at the table when the Will was executed. — Ans. they were not. — Q. how long have you been acquainted with the Testatrix. — Ans. upwards of twenty years. — Q. did you see and converse with her frequently during that time, to such an extent as to enable you to form an opinion of her understanding. — Ans. saw and conversed with her frequently, sometimes worked a week or more for her at a time there. — Q. Was she a woman of good common sense. — Ans. she was. I always took her to be a woman of sound mind.

Signed Abraham Howman

The foregoing proofs and examinations taken before me the Surrogate aforesaid, at the place first mentioned, the twenty sixth day of August, one thousand, eight hundred and thirty nine, and on the seventh day of September then following, to which day the matter was adjourned. — And the depositions of the witnesses, were by them subscribed after having been carefully and truly read to them.

And I the said Surrogate being satisfied from the proof aforesaid, that the said Will was duly executed, that the said Testatrix, at the time of executing the same, was in all respects competent to devise and bequeath Real and personal estate, and not under restraint, and that she executed the said Will understandingly, knowing the contents thereof. Do therefore allow the said Will, Proofs and examinations to be recorded. — Which said Will, Proofs and examinations are herein before recorded and contained.

Witness my hand and seal, this day of November, one thousand, eight hundred and thirty.

Rich^d Crockeran, Surrogate

State of New York, Richmond County.

Be it remembered, that a Surrogate Court held in and for the County of Richmond, at the Surrogate's office in the said County the fourteenth day of November, one thousand eight hundred and forty, before Richard Crockeran Surrogate of the said County, the last Will and Testament of Catherine Bodine, late of the said County deceased (of which the foregoing is a copy) was admitted to Probate, after citation to the next of kin and heirs at law of the said deceased issued, served, returned and filed according to law. — Whereupon at the office of the said Surrogate on the 26th of August 1839, and the seventh of September then next to which day the Cause was adjourned, Etoid Wood, Abraham Hausman and Peter J Van Pelt the subscribing witnesses to the said Will, was duly sworn by the said Surrogate, and testified that they did see the said deceased, sign and execute the said Will, that

she published and declared it to be her last Will and Testament; that at the time thereof the said deceased was of sound disposing mind & not under any restraint, to the best of their knowledge and belief, that they subscribed the said Will as witnesses at the request of the Testatrix, the two former in her presence, at the time she executed it, the other not present to her at a time subsequent. — 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 administration with the Will annexed be issued to Ann Bodine one of the devisees in said Will. (P. J. Van Pelt, the Executor appointed in the Will having renounced) on executing and subscribing the oath of office prescribed by law.

Rich^d Crockeran, Surrogate

Be it also remembered that on the Fifth day of March in the year of our Lord, one thousand, eight hundred and forty one personally appeared before me Ann Bodine a devisee named in the Will of Catherine Bodine late of the County of Richmond, deceased, and were duly sworn to discharge the duties of Administratrix, with the Will of the said deceased, annexed, by taking the usual oath in such cases prescribed. — Whereupon Probate was granted and letters Testamentary issued to the said Administration with the Will of the said deceased annexed, were duly issued to the said Ann Bodine.

Rich^d Crockeran, Surrogate

In the Name of God. Amen. I, John Garretson of the Town of Westfield, in the County of Richmond, Georgia. — Do make this my Last Will and Testament, in manner and form following. —

First. I resign my soul into the hands of Almighty God, hoping and believing in a Remission of my sins through the merits and mediation of Jesus Christ the Saviour. — And my worldly estate I will and bequeath as follows, viz. That my Executors collect and receive all monies that are and may be due my estate, and sell and dispose of such of my effects as they may deem most proper for the payment of my just debts. — I further Will that my wife Ann Garretson and my two sons Jacob & Garretson & John H. Garretson, occupy my Farm situated in Westfield until my youngest son John H. shall have arrived at the age of twenty one year for their mutual benefit, — the Farm to be under the management of my eldest son Jacob & Garretson. — The lot of land situated in Southfield, owned in company with Lemaria Parkerson, may be sold at the discretion of my Executors for the benefit of my estate. — I further Will that the above first named farm, shall when my youngest son becomes of age be sold, unless my heirs at that time all agree to make some other disposition of the same as will suit them better. — if sold, all monies arising from such sale shall then be equally divided between my wife Ann Garretson and my sons Jacob & Garretson & John H. Garretson, to be their own, — and all my other effects that may then remain shall be equally divided between the above named heirs as they shall think most expedient. — And lastly, I will that my wife Ann Garretson be Executrix, and my son Jacob & Garretson be my Executor to this my Last Will and Testament.

In Witness whereof, I have hereunto set my hand and seal this eighth day of August, in the year of Our Lord, one thousand, eight hundred and thirty nine.

John Garretson

Signed, sealed, published and declared in presence of us James W. Johnson — Henry S. Beall.

State of New York }
Richmond County }

Be it remembered, that a Surrogate Court, held in and for the County of Richmond, at the Surrogate office in the said County, the twenty ninth day of December, one thousand, eight hundred and forty. Present, Richard Crockeron, Surrogate. — In the matter of proving the last Will and Testament of John Garretson, an —

An order was made and entered, on reading and filing the Petition of Jacob & Garretson, propounding the said Will, that a citation issue to the heirs, widow and next of kin of the said deceased, in pursuance of said Petition, returnable the sixth day of January next, ten o'clock A. M.

Be it also remembered, that a Surrogate Court, held in and for the said County, at the place aforesaid, the sixth day of January 1841. before the said Surrogate. — In the matter of proving the Last Will and Testament of John Garretson, deceased. — Jacob & Garretson the applicant for the proof of said Will appeared, and returned the citation to the heirs &c. and made Affidavit of its due service, also produced the Consent of Jacob Crockeron in writing under his signature to become the Guardian of John H. Garretson, a minor heir of the said deceased to take care of his interests in the proceedings, in the proof of said Will. — he having been previously appointed in pursuance of an order made and entered for that purpose, whereupon the said Court being satisfied that the proceedings on the said petition for the proof of said Will have been agreeable to law, in such cases provided.

On filing the said citation, Affidavit of service, and Consent to become the Guardian of the said minor heir, leave was given the said applicant to prove the said Will.

Richard Crockeron, Surrogate

State of New York
Richmond County } 41

In the matter of Proving the last Will & Testament of John Garretson, deceased, James W. Johnson and Henry S. Beadell of Westfield, in the said County of Richmond, being sworn and solemnly sworn, 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 eighth day of August, in the year of our Lord one thousand eight hundred and thirty nine, that they heard him publish and declare the said instrument to be 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. — And that they the said deponents, subscribed the said Will as witnesses, at the request and in the presence of the said Testator, and in the presence of each other. — J. W. Johnson. — Henry S. Beadell.

Sworn to the sixth day of January 1841. before me. — Richard Crochran Surrogate

The foregoing proof, and examination, taken before me the Surrogate aforesaid, at the time and place aforesaid, and the declarations of the witnesses were by them respectively subscribed after having been carefully read to them. — And the said Surrogate being satisfied from the proof taken, that the said Will was duly executed, that the said Testator, at the time of executing the same, was in all respects competent to devise and bequeath real and personal estate and not under restraint. — do therefore deem and adjudge the same valid as a Will of real and personal estate, and allow the said Will and proofs to be received, which said Will and proofs are herein before received and contained.

Witness. Richard Crochran. Surrogate aforesaid the sixth day of January, one thousand eight hundred and forty one.

Richd. Crochran. Surrogate

State of New York } 41. Be it remembered that a Surrogate Court held in and for the County of Richmond, at the Surrogate Office in said County, the sixth day of January, one thousand eight hundred and forty one, before Richard Crochran Surrogate of the said County, the last Will and Testament of John Garretson late of the said County, deceased, (of which the foregoing is a copy) was admitted to Probate, after a citation to the heirs, widows and next of kin of the said deceased, issued, served, returned and filed according to law. — Whereupon at the place, and on the day aforesaid, James W. Johnson & Henry S. Beadell, the subscribing witnesses to the said Will were duly sworn by the said Surrogate and testified that they did see the said deceased sign and execute the said instrument, that they 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 not under any restraint, to the best of their knowledge and belief, and that they subscribed the said Will as witnesses at the request and in the presence of the said Testator.

Whereupon the Surrogate aforesaid, ~~deposed~~ 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 the Executors & Executor in the said Will named, on their taking and subscribing the oath of office prescribed by law.

Richd. Crochran. Surrogate

Be it also remembered, that on the said sixth day of January, and year aforesaid personally appeared before me John Garretson & Jacob C. Garretson the executor and executor in the said Will named, and were duly sworn to the faithful performance and execution thereof, by taking the usual oath in such cases prescribed.

Richd. Crochran. Surrogate

In the name of God. Amen. I John Poillon, Senior, of the Town of Southfield, in the County of Richmond and State of New York. Farmer, being of sound disposing mind and memory, blessed be God for the same, considering the uncertainty of this transitory life and wishing to make provision of the worldly estate wherewith it has pleased Almighty God to bless me, do make, publish and declare this to be my last Will and Testament.

First. — I order and direct that all my just debts funeral and Testamentary expenses be paid by my Executors hereinafter named as soon as conveniently may be after my decease.

Seconda. — I order and direct that my Executors do sell all my personal estate of whatever nature and description, (excepting such personal chattels as are hereinafter mentioned and bequeathed) as soon as conveniently may be after my decease, either at public or private sale, as they in their discretion shall deem best for the interest of my heirs.

Thirda. — I give and devise unto my Executors hereinafter named and the Survivors and Survivor of them, and the Executors or Administrators of such Survivor, — all the Real estate that I may die seized, or possessed of, or entitled unto either at law, or in Equity, and situate in the Town of Southfield, in Richmond aforesaid, or in any other place in Richmond County, or in the State of New York. — To have and to hold the same unto my said Executors, and the Survivors and Survivor of them, and the Executors, or Administrators of such Survivor, their or his heirs or assigns, to and for and upon the following trusts and purposes hereinafter mentioned, and to and for and upon no other trust, or purpose whatever, that is to say, — I trust in the first place, that my said Executors sell and dispose of all my Real Estate as soon after my decease, as a fair and reasonable price can be had for the same, either at Private or Public Sale, as

John Poillon Senr

they in their discretion shall deem advisable and for the best interest of my heirs, and upon such sale to make and execute to the purchaser or purchasers thereof a good and sufficient Conveyance, or Conveyances in the Law therefor, so as absolutely to convey the same to the purchaser, or purchasers thereof, his, hers, or their heirs and assigns forever. — I trust in the second place, that my said Executors, out of the proceeds of my Real or personal Estate, when the same shall be sold as aforesaid, pay over unto each of my Grand children, to wit. Jane, late Jane Williams, and James Poillon, — being the children of my son Peter Poillon, deceased, the sum of one hundred dollars, — and in case either of my said two Grand children Jane and James shall die leaving lawful issue, the said sum that would have been paid to either if living, is to be paid to such lawful issue. — I trust in the third place, that my said Executors, out of the proceeds arising from the sale of my Real Estate and the proceeds of my personal Estate, and my personal estate, when the same shall be sold as aforesaid and converted into money, — pay unto my Grand children Lawrence Wood, John Wood and Margaret Peck, (late Margaret Wood) being the children of my deceased daughter Catherine Wood, the sum of one hundred dollars each; and also unto their sisters Ellen Wood, Catherine Wood, and Matilda Wood, upon their becoming of lawful age, or marriage, which ever event shall first happen, the sum of one hundred dollars each, — and also unto their brother Augustus Wood, the sum of two hundred dollars, when he shall become of lawful age, (the said Ellen, Catherine and Matilda and Augustus being also children of my said deceased daughter Catherine Wood). And I do order and direct my Executors to place at Interest as soon as conveniently may be the said several sums of money so given and bequeathed unto my said Grand children, Ellen, Catherine, Matilda and Augustus, and keep the same at interest, untill they shall be entitled to receive the same under this my Will. — And in Trust in the

John Poillon Senr

last place that my said Executors divide the Rent and
Residue of the proceeds arising from the sale of my Real
estate, and the proceeds of my Personal Estate, and
the Rents, income and profits thereof, and of all
my personal estate of whatever nature, or description,
into six equal parts, or proportions, and that they
pay over unto my Grand Children, (being the Chil-
dren of my son John Poillon Junior, deceased) the
one equal sixth part thereof, to be divided equally
between them share and share alike, and in case
any of my said Grand Children, being the children
of my said deceased son John, shall die first this life
before receiving the same, leaving issue him or her
surviving, the share of the one so dying shall go
to and belong to such issue, if more than one issue,
in equal proportions. — Should either of said Grand
Children, being the children of my deceased son John,
die without issue, his or her share is to go to the sur-
vivors of them. — And I do further order and direct
that my said Executors pay over unto my children,
to wit, Richard Poillon, James Poillon, Margaret Gar-
retson, the wife of James B. Garretson, and Daniel Poillon
each one equal sixth part of the proceeds of my said Real
Estate, and the proceeds of my personal estate, and the
Rents, income and profits thereof and of all my personal
estate of whatever nature or description. — To have and to
hold unto the said Richard Poillon, James Poillon, Mar-
garet Garretson and Daniel Poillon, each the one equal
sixth part thereof. — And in case either of my said chil-
dren shall die before the same is paid over as aforesaid,
leaving issue him or her surviving, the share of the
child so dying, shall go to and belong unto such issue,
if more than one issue, in equal proportions.

Fourth. Whereas my son Cornelius Poillon has given
out that he intends after my decease to bring claims a-
gainst my estate, which claims I feel conscientious in
declaring he has no legal, or equitable foundation for
or right to urge, or assert upon, and therefore I
do not admit any such claims, he may present,

except a certain note for about the sum of two hundred
and fifty dollars, (the precise amount is not collected
by me) and which is the only note or claim he holds or
has against me. — And whereas for the purpose of do-
ing him full and ample justice and avoiding litigation,
I do order and direct my said Executors to pay
unto him the amount of said note whatever it may
be, and in addition to the amount of said note
the sum of one hundred dollars, in full and in bar
of all and every claim of whatever nature and de-
scription he may set up, or pretend to have against
me or my estate, such payment to be made
upon the division of my Real and Personal es-
tate as above directed. — And I do further order
and direct, that in case my said son Cornelius
shall receive the amount of said note and the said
sum of one hundred dollars in full and in bar
of every claim or demand of whatever nature and
description he may set up, or pretend, or claim to
have against me, or my estate, and execute
unto my Executors a full and absolute release,
that then and in such case my said Executors
put out at interest upon Bond and Mortgage on good
and sufficient Real estate in the City of New York, and
keep at interest (to be disposed of in the manner here-
inafter directed) for and during the natural life
of my said son Cornelius, the remaining one sixth
part of the proceeds of the sale of my said Real estate
and the proceeds of my personal estate, and of the
rents, income and profits thereof and of all my
personal estate of whatever nature, or description,
and pay over unto my said son Cornelius during
his natural life such interest arising therefrom as-
often as the same shall be received. — And in case he
shall die leaving lawful issue him surviving, then
the said remaining one sixth part so directed to be put
at interest, is to be paid unto his issue, if more than
one issue, in equal proportions. — Should my said
son Cornelius die without leaving lawful issue him —

My Will & Testament

Surviving, then the remaining one sixth part so directed to be put at Interest, is to be divided into as many parts as I may have children then living, and children that have died and who may die after me leaving issue, and is to be paid unto such children then living and the issue of each of my children that have died, or who may die after me. — To have and to hold the same unto such children then living and unto my grand children, being the children of such child who has died, or who may die after me. — Such grand children to take the share of their deceased parent. — But in case my said son Cornelius shall set up, or pretend and present and insist upon any claim against me or my estate, or insist upon the same being paid other than the sum of \$1000.00, I have directed to be paid unto him in addition to said note, and shall refuse, or neglect to execute the release above mentioned, that then and in such case my said Executor shall divide the said sum so directed to be placed at interest, being the said remaining one sixth part of the proceeds of the sales of my said Real estate, and the proceeds of my personal estate, and of the rents, income and profits thereof, and of all my personal estate of whatever nature or description, into as many parts as I shall then have children living and children who are deceased, and that may die after me, and pay one part thereof unto each of my children then living, and one part thereof unto the issue of each of my children who have died, or may die after me, such issue to take the part of the deceased parent would have been entitled unto if living.

Fifth. — I give and bequeath unto my said son Richard Poillon, the Bed and Bedstead, that I use and occupy together with the bedding attached and belonging to the same. — And I also give and bequeath unto my said son Daniel Poillon all my clothing and wearing apparel.

Sixth. — I do give and bequeath unto my Executor herein after named, all my personal estate of

whatever nature and description, except that given unto my said sons Richard and Daniel. — To have and to hold the same unto them and the survivors and survivor of them, and the Executor or Administrators of such survivor, for all and every of the Trusts above expressed, and all and every of the purposes of this my Will. — And I do hereby declare it to be my Will and intention that this Real and Personal Estate so as aforesaid directed to be divided into six equal parts, and paid out as above directed, shall consist of and include all the Rest, Residue and Remainder of my personal estate, and of the proceeds of the sale of my Real Estate, and of the rents, income and profits thereof after satisfying and discharging all my just debts and funeral and Testamentary expenses, and the several legacies and bequests herein given as aforesaid.

Lastly. — I do hereby nominate, constitute and appoint my said sons James Poillon and Daniel Poillon, and my son in law James P. Gervolin, and the husband of my grand daughter Mary Jane, to wit. John Leveridge of the City of New York, Esquire, to be the Executors and Trustees of this my last Will and Testament. — And I do hereby revoke, annul and make absolutely void and of no effect, all former and other Wills by me at any time heretofore made.

In Witness Whereof, I have hereunto set my hand and seal the twenty fourth day of September, in the year of our Lord, One thousand, eight hundred & forty

John Poillon Senior.

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

Benjⁿ Hallstead. 45 Backman St. City of New York
Margaret Journeay, Town of Northfield, Staten Island

State of New York
Richmond County

In the matter of proving the last Will & Testament of John Poillon, Senr. deceased. Benjⁿ Halsted, of the City of New York, being sworn deponee and saith, that the instrument now shown him bearing date the twenty fourth day of September, the Year of our Lord, one thousand, eight hundred and forty, purporting to be the last Will and Testament of John Poillon, Senr., of the County of Richmond, this Deponent did see him sign and execute, by subscribing his name opposite the seal, and on the several sheets comprising the said instrument, - that he heard him publish and declare the said instrument, as and for his last Will & Testament, that at the time thereof the said John Poillon, Senr., was of sound disposing mind and memory, and not under any restraint to the best of his knowledge and belief. - And that this Deponent, together with Margaret Journey, the other subscribing Witness to the said Will, subscribed their names thereto as witnesses at the request and in the presence of the said Testator and in the presence of each other. - And that in the opinion of this Deponent, the Testator at the time of executing the said Will was competent to devise and bequeath his Real and Personal estate. Signed. Benjⁿ Halsted
Sworn the 11th day of January 1841. before me
Rich^d Crochever, Surrogate

Richmond County. ss. Margaret Journey of the said County being sworn, says that the instrument now shown her, bearing date the twenty fourth day of September, one thousand, eight hundred and forty, purporting to be the last Will and Testament of John Poillon Senr. of the County of Richmond, this Deponent did see him sign and execute the said instrument by subscribing his name opposite the seal and on the several sheets comprising said instrument, - that she heard him publish and declare the said instrument as and for his last Will

and Testament, that at the time thereof he was of sound disposing mind and not under any restraint to the best of the knowledge and belief of this Deponent. - And that this Deponent together with Benjamin Halsted the other subscribing Witness to the said Will, subscribed their names thereto as witnesses at the request and in the presence of the said Testator and in the presence of each other. - And this Deponent further saith, that in her opinion, the said Testator, at the time of executing the said Will was fully competent to devise and bequeath his Real and Personal estate. Signed. Margaret Journey. - Sworn the 11th day of January 1841. before me, Rich^d Crochever, Surrogate.

State of New York
Richmond County

Be it remembered that a Surrogate Court held in and for the County of Richmond at the Surrogate office in said County, the twenty third day of November A. D. 1840. - Present Richard Crochever, Surrogate

In the matter of proving the last Will & Testament of John Poillon, Senr., deceased. - On reading and filing the Petition of James Poillon proposing the said Will, an order was made and entered that Citation issue to the heirs and next of kin of the said deceased, in pursuance of said Petition, returnable the eleventh day of January, 1841. - And it appearing in & by said Petition, that Ellen Wood, Catherine Wood, Matilda Wood & Augustus Wood, heirs of the said deceased are minors, an order was made and entered that Lewis R. Marsh Esq. be appointed Guardian of the said Minors, to take care of their interests in the Premises.

Be it also remembered that a Surrogate Court held in and for the said County at the place aforesaid the eleventh day of January 1841. before the said Surrogate,

In the matter of proving the last Will & Testament of John Poillon Senr., deceased. - The Citation to the heirs and next of kin, to attend the Probate of the Will of the said John Poillon Senr. deceased, was returned and pronounced of its due service and publication in the Helder Paper as required.

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in filing said petition, affidavit of goods, also the same to become guardian of the minor heirs
by law; ~~thereupon~~ leave was given the proper officers of
said Will to proceed in its proof, and the subscribing
witnesses sworn and examined in the premises.

The foregoing proofs and examinations, taken before
me the surrogate aforesaid, at the time and place aforesaid
and the deposition of the respective witnesses, were by them
respectively subscribed after having been carefully read to them.

And I the said surrogate being satisfied upon the proof
taken, that the said Will was duly executed, that the said
Testator at the time of executing the same was in all respects
competent to devise and bequeath Real & Personal estate, and
not under restraint. — Do therefore allow the said Will
proof and examinations to be received, which said
Will and Proof are herein before received & retained.

Witness my hand and seal of office, the day and
year first aforesaid.
Rich^d. Crockeren, Surrogate

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's office in said County, the eleventh day of January, one thou-
sand, eight hundred & forty one, before Richard Crockeren, Surrogate
of the said County, the last Will & Testament of John Pallen, late of
said County, dec'd. (of which the foregoing is a copy) was admitted
to Probate after a Citation to the heirs & next of kin of the said
deceased, issued, served, returned, and filed according to law
— Whereupon at the place and on the day aforesaid Benjⁿ
Hastead & Margaret Journeay the subscribing witnesses to the said
Will was duly sworn by the said surrogate, and testified that they
did see the said deceased sign & seal the said instrument, that
they heard him publish & declare the same to be his last Will &
Testament, that at the time thereof he was of sound disposing mind
and not under restraint, to their knowledge & belief, and that
they subscribed the said Will as witnesses at the request & in the pre-
sence of said Testator. — Whereupon I 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
and that Letters Testamentary thereon be granted to the Executors
in the said Will named, on their taking & subscribing the
oath of office prescribed by law.
Rich^d. Crockeren, Surrogate

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Be it also remembered that on the said eleventh day of
January, one thousand, eight hundred & forty one, person-
ally appeared before me James Pallen, Daniel Pallen,
James B. Garrison & John Leverage, exors., the Executors
in the said Will of the said John Pallen, late deceased, &
were duly sworn to the faithful performance and ex-
ecution thereof, by taking the usual oath in such cases
prescribed.

Rich^d. Crockeren, Surrogate

* In the Name of God. Amen. I Richard
Dubois of the Town of Westfield, County of Richmond
and State of New York, being of sound mind mem-
ory and understanding, do make and publish this
my last Will and Testament in form and manner
following. to wit. First. I do order and direct
that my Executors herein after named pay all my
just debts and funeral charges out of my estate.
I next order and direct that my son John Du-
bois pay annually to my wife Isabella the sum
of twenty dollars for the use of the land that I hold
a lease of (excepting the house) also to provide
pasturage and feed for one cow and one hog an-
nually as long as she may live, or choose to keep
them. — I also give and bequeath the use of my
land called the old camp and allow her the priv-
ilege of cutting and selling wood as she may need
to live on. — Also I order that my said wife take such
of my household furniture, as she chooses to take for
her use during her natural life time. — I then next
order and direct that my son John Dubois have and
hold for his own use and for his heirs and assigns fore-
ever, all the lands and tenements that I have given him
deeds of conveyance for. — I next order and direct that my
Executors or the survivors of them to lay of ten acres of land
on the westerly part of the land called the old camp, of
the decease of my said wife, which I then give to the

heir of my son Richard Dubois. — I then leave all the remainder of the said land called the Old Comp. to my two daughters Elizabeth wife of Jacob Mance and Sarah wife of James Mance during their natural lives, and then I give the said lands to their heirs. I also give to my said wife one cow and one hog, — and I then next give all the rest and remainder of my personal estate to my son John Dubois with his paying all my just debts and funeral charges, &c.

I then next lastly, nominate, constitute and appoint my said wife Isabella, Executrix, — and my son John Dubois, Executor of this my last Will and Testament, then by revoking all former Wills by me made.

In testimony whereof, I have hereunto set my hand and seal this twentieth day of April, in the year of our Lord, one thousand, eight hundred and thirty five.

Richard Dubois

Signed, sealed, published and declared by the above named Richard Dubois, as and for his last Will and Testament, in the presence of us, who have hereunto subscribed our names as witnesses in the presence of the Testator and in the presence of each other.

John Totten. of the town of Westfield, Richmond County
 Esther Mance. of the town of Westfield, Richmond County

State of New York
 Richmond County

Be it remembered that a Surrogate Court held in and for the County of Richmond at the Surrogate Office in said County, the twenty fifth day of January, one thousand, eight hundred and forty one Present. Richard Crocheron, Surrogate

In the matter of Proving the last Will & Testament of Richard Dubois, deceased

On reading & filing the Petition of John Dubois propounding the said Will an Order was made and entered that a Citation issue to the heirs, widows and next of kin of the said deceased

in pursuance of the said Petition, returnable the eighth day of February next, ten O'clock in the forenoon.

Be it also remembered that a Surrogate Court held in and for the said County, at the place aforesaid the eighth day of February 1841. before the said Surrogate. — In the matter of proving the last Will and Testament of Richard Dubois, deceased. — John Dubois the propounder of the said Will appeared, and made return on oath of the Citation to the heirs, widows and next of kin of the said deceased, to attend the Probate of said Will, of its due service as required by law. — On filing the said Citation and Affidavit of service, leave was given the said Applicant to prove the said Will

Rich^d Crocheron, Surrogate

State of New York
 Richmond County

In the matter of Proving the last Will & Testament of Richard Dubois, deceased John Totten of the town of Westfield in said County being duly sworn deposes and saith, that he did see the said Richard Dubois, deceased, sign and seal the instrument now shown him purporting to be the last Will and Testament of the said deceased, bearing date the twentieth day of April, in the year of our Lord, one thousand, eight hundred and thirty five. — that he heard the said deceased publish and declare the said instrument as and for his last Will and Testament, that at the time there of the said deceased was of sound disposing mind and memory and not under any restraint to the best of the knowledge and belief of this deponent And this deponent further saith that he together with Esther Mance the other subscribing Witness to the said Will did subscribe their names thereto as witnesses at the request and in the presence of the said Testator and in the presence of each other and further deposes that in his opinion the said Testator at the time of executing the said Will, was fully competent to do vice and bequeath his Real & Personal estate. John Totten sworn the eighth day of February 1841. before me. Rich^d Crocheron, Surrogate

Richmond County, N. Y. — Esther Mance of Westfield in said County, being sworn, deposeth and saith that she did see Richard Dubois, late of Westfield deceased, sign and execute the instrument now shown her purporting to be the last Will and Testament of the said deceased, bearing date the twentieth day of April, in the year of our Lord one thousand, eight hundred and thirty five, that he heard the said deceased publish and declare the said instrument as and for his last Will and Testament, that at the time thereof the said deceased, was of sound disposing mind and not under any restraint to the best of the knowledge and belief of this deponent. — And that she the said deponent together with John Totten the other subscribing witness to the said Will, subscribed their names thereto as witnesses at the request and in the presence of the said Testator and in the presence of each other — Signed, Esther Mance. — Sworn the eighth day of February 1841 before me, Rich^d. Crockeran, Surrogate

State of New York }
 Richmond County }
 Be it remembered that a Surrogate Court held in and for the County of Richmond at the Surrogate Office in said County, the eighth day of February, one thousand, eight hundred & forty one. Before Richard Crockeran, Surrogate of the said County — the foregoing proofs and examinations were duly taken and subscribed by the respective witnesses after having been carefully read to them. — And I the said Surrogate being satisfied upon the proof taken, that the said Will was duly executed, that the said Testator at the time of executing the same was in all respects competent to devise and bequeath Real and Personal estate and not under restraint. Do therefore allow the said Will, proofs and examinations to be recorded, which said Will & proofs are herein before recorded and contained.
 Witness. Richard Crockeran Surrogate afore said, the day and year first aforesaid

Rich^d. Crockeran Surrogate

Be it also remembered that the last Will and Testament of the said Richard Dubois late of Westfield and (of which the foregoing is a copy) was admitted to Probate after a Citation to the Widow and next of kin of the said deceased issued, served, returned and filed according to law. — Whereupon at the place and on the day afore said John Totten, & Esther Mance the subscribing witnesses to the said Will, was duly sworn by the said Surrogate and testified that they did see the said deceased, sign and seal the said instrument, that they 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 not under any restraint, to their knowledge or belief, and that they subscribed the said Will as witnesses at the request and in the presence of the said Testator. — Whereupon I the Surrogate aforesaid, 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 the executrix & executor in the said Will named, on their taking and subscribing the oath of office prescribed by law.

Rich^d. Crockeran, Surrogate

Be it also remembered that on the said eighth day of February, one thousand, eight hundred & forty one, personally appeared before me John Dubois the executor named in the Will of the said Richard Dubois and was duly sworn to the faithful performance and execution thereof by taking the usual oath in such cases prescribed. — Whereupon Probate was granted and Letters Testamentary on the estate of the said deceased to the said John Dubois, and said Letters recorded in the book kept for that purpose in the office of the said Surrogate

Rich^d. Crockeran, Surrogate