

The Last Will and Testament of Francis Clark (1758? – December 21, 1827)

Microfilm copy of Last Will and Testament of Francis Clark obtained from familysearch.org

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New York Probate Records, 1629-1971, Delaware

Wills, Vol C No 2, 1825-1832

(found on pp. 184-186/7 which starts on page 117 of the microfilm that has a total of 478 pages)

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Note: Transcriber indicated when a handwritten page from recorded Last Will and Testament ended and when a new one started.

Transcribed The Last Will and Testament of Francis Clark

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The last will and Testament, of Francis Clark, of the Town of Kortright in the County of Delaware and State of New York __

I Francis Clark considering the uncertainty of this mortal life and being of sound Mind and Memory _ Do Make and publish this my last will and Testament in manner + form following

First I give to my daughter Henrietta the wife of Martin Leet the mortgage upon John Clarks farm and as much besides us shall make five hundred dollars. The note of five hundred dollars which I hold against her I will to be given up _ thus making the whole sum allowed her to be one thousand dollars.

Secondly, I give Devise and bequeath the whole of my farm Situated in Kortright and Harpersfield containing rising of three hundred acres be the same more or less – unto my son James, his heirs and assign forever- Subject to my wifes privilege hereafter Mentioned ~

My desire is that James would allow William the privilege of twelve logs yearly off the farm and the use of the sawmill to saw them -but I mean it not as a charge on the farm – only as a request to be complied with by James as suits his convenience.

Thirdly I give Devise and bequeath to my wife Elsbit the use of my house garden and half of my orchard during her life. Also two cows and a horse to be kept by James, and the use of a wagon and sleigh _ also the wool of ten sheep, eight bushels of wheat four bushels of rye and

corn one hundred and fifty pounds weight of beef _ and three hundred pounds of pork to be furnished by James annually – James also to furnish firewood drawn to the door and chopped as She likes _ I also give and bequeath unto her all my household furniture Cloths and Effects Subject to her Disposal as her absolute property_ _ _

Fourthly the reason that I make no particular provision for my son William R Clark, except as hereafter mentioned is that I have conveyed property to him by Deed

Fifthly, the Residue of all my property whether in notes Bonds accounts or otherwise, I wish to be collected and converted into money as soon as convenient, and I will the one half thereof to my wife and the other half to be equally divided among the foresaid Henrietta William R and James.

The provision which I have in this will made for my wife I intend to be in lieu of [Dower?] and not in addition to it
Lastly I appoint my son James and my wife Elsbet Executors of this my last will and Testament and I desire they would deliver

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The John Clark Mortgage to Henrietta as soon as demanded and also her note, and to pay her the remainder of the aforesaid five hundred dollars within one year from my decease

In witness whereof I have hereunto set my hand and seal the seventeenth day of December in the year of our Lord one thousand eight hundred and twenty seven –

Signed Sealed published and declared by the above named Francis Clark to be his last will and Testament in the presence of us who have hereunto subscribed our names as witnesses in the presence of the Testator

Levinus Monson

Edward Ducey

Robt Huston

Francis Clark SS

My further will, in addition to the foregoing is that my Daughter Henrietta Should have my bay Mare, that James should have My black Horse provided My wife consents, and my intention I the foregoing devise to James is that he have the farming [essentials”] together with the farm as they stand, and my wish is, that he be Released from the requests as mentioned in the will allowing logs to William, [??] that William should have a [Cutter?]

Given under my hand and seal the seventeenth day of December in the year of our Lord one thousand eight hundred and twenty seven –

Signed Sealed published and declared by the above named Francis Clark to be his last will and Testament in the presence of us who have hereunto subscribed our names as witnesses in the presence of the Testator

Levinus Monson

Edward Dancey?

Robt Huston

Francis Clark SS

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State of New York

Delaware County. [?]

Be it Remembered that on the first day of January in the year of our Lord one thousand eight hundred and twenty eight, personally appeared before me, Robert North Esquire Surrogate of the Said County of Delaware Edward Dancey and Robert Huston two of the subscribing witnesses to the will of Francis Clark late of the Town of Kortright in the Said County deceased, who being duly sworn declared that they did See the said Francis Clark Seal and Execute the written instrument purporting to be the last will and Testament of the Said Francis Clark bearing date the seventeenth day of December in the year of our Lord one thousand Eight hundred and twenty seven and heard him publish and declare the same as and for his last will and Testament: that at the time thereof he the Said Francis Clark was Sound disposing mind and memory to the best of the knowledge and beleif of the said Edward Dancey and Robert Huston and that they together with Levinus Monson the other witness to the Said will Severally subscribed their hands and names to Said Will as witnesses thereto in presence of the testator and of each other –

Delaware County [SS?]

And be it also Remembered that on the first day of January in the year of our Lord one thousand Eight hundred and twenty Eight James Clark and Elsbit Clark Executors named in the last will and Testament of the Said Francis Clark late of the Town of Kortright in Said County deceased likewise appeared before the Said Surrogate and were duly sworn to the true Execution and performance of the Said Will by their taking the oath of an Executor as by law appointed - - -

Robert North Surrogate

The People of the State of New York By the Grace of God free and Independent - To all to whom these presents shall come or may concern _ send Greeting -

Know ye that at [?] in the County of Delaware on the first day of January in the year of our Lord one thousand Eight hundred and twenty Eight before Robert North Esquire Surrogate of the Said County of Delaware and State of New York deceased was proved and is now approved and allowed by Us: And the Said deceased having whilst he lived and at the time of his death Goods Chattels or Credits

within this State by means whereof the proving and Registering the Said will

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And granting Administration of all and Singular the said goods Chattels and Credits, and also the auditing allowing and final discharging the accounts thereof doth belong to Us,) the Administration of all and singular the Goods and Chattels and Credits of the Said deceased and any way Concerning his will is Granted Unto James Clark and Elsbit Clark Executors in the Said will named they being first duly sworn will and faithfully to administer the same and to make and exhibit a true and perfect Inventory of all and Singular the said Goods Chattels and Credits: and unto render a Just and true accounts thereof when thereunto Required - - -

In Testimony whereof we have Caused the Seal of Office of our Said Surrogate to be hereunto affixed. Witness Robert North Esquire Surrogate of the Said County at Walton the first day of January in the year of our Lord one thousand Eight hundred and twenty Eight - - -

Recorded January 1st 1828

Robert North Surrogate