

**Mercy Lewis Will submitted to dcnhistory.org website, October 10, 2007**

*This will was found and transcribed by Karen Bonneau of Nebraska. Her husband is a descendant of Harvey Holloway/Hawley, as am I. It came to me by way of Elizabeth Hawley. Mercy Lewis maiden name was Holloway.*

*Dick Hawley  
415 Ashway Cove  
Newport News, VA*

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**Mercy Lewis Will**

In the name of God amen. I Henry Lewis and Mercy Lewis of the town of Hancock in the County of Delaware and State of New York Henry Lewis aged 85 years on this 10th day of October one thousand eight hundred and fifty five Mercy Lewis aged 72 years and both being of sound mind and memory do make publish and declare this our last will and testament in manner following that is to say.

First. We give and bequeath to our son William Lewis during his natural life a certain judgement bond whatever shall remain due on said bond at our death said bond given to Mercy Lewis by William Lewis to the amount of \$400.00 four hundred dollars on file at the Co Clerks office in Delaware County on the 21st day of July 1855 and at the death of William Lewis the above bond is to insure to the benefit of Aujilla Lewis the daughter of the said William Lewis and we further give and bequeath to our son William the sum of five dollars and to our daughter Abigail Mead the sum of five dollars and to our daughter Jerusha Hood and to our daughter Phebe Hawks ? children and to our son Josephus Lewis the farm we now live on situated in the town of Hancock being the S.E. part of lot No 12 in lot 14 in great Lot No 35 Hardenburgh patent to be divided in three equal shares that is to say one third to Jerusa one third to Phebe Hawks, ? children to the number of 8 children. Each child to share equal in the said one third division of said land and each one share of said land to be kept ? for him on her until as fast as they shall because of mature age and each childs division given to them with the interest and use of his or her share at the age of twenty one years of age and the ? childrens shares to be placed in the hands of our executors or administrators for the safety of the same and the benefit of each children and one third of said land we give to our son Josephus Lewis, and to our son Holloway Lewis two hundred dollars and to our daughter Harriett Kostright the sum of five dollars and we give and bequeath to John Lewis desires one dollar and to Matty Logan desires one dollar and we give one half of our weaving apparel to our daughter Jerusa Hood and the other half of our weaving apparel to divided equally between, Harriett, Abbey and Phebe our daughters and our household furniture to be equally divided between Jerusha Hood and Phebe Hawks ? children that is to say one half of said furniture to given to Jerusha Hood and the other half to be divide equally between Phebe Hawks ? children all other loose property that may be left at our decease on the farm we give to our son Josephus Lewis exceptive notes & money and we further appoint and constitute Josephus Lewis and James M. Miller our executors of this our last will and testament hereby revoking all forever wills by us made. In witness whereof we have hereunto set our hands and seals this tenth day of November in the year of our Lord one thousand eight hundred and fifty fi ve.

Signed Henry X Lewis

His mark was X so he apparently could not write

Signed Mercy Lewis

I hereby certify that the foregoing is a correct copy of the whole of the last will & testament of Mentlin Van Dusen deceased & of the proofs & examinations taken thereon & the same pursuant to an order of the undersigned Surrogate which were recorded this 21<sup>st</sup> day of December 1855-

Wm Gleason  
Surrogate

### Mercy Lewis Will -

In the name of God Amen. I Henry Lewis and Mercy Lewis of the town of Hancock in the County of Delaware and State of New York Henry Lewis aged 85 years on this 10<sup>th</sup> day of October one thousand eight hundred and fifty five Mercy Lewis aged 72 years and both being of sound mind and memory do make publish and declare this our last will and testament in manner following that is to say.

First. We give and Bequeath to our son William Lewis during his natural life a certain judgment Bond whatever shall remain due on said Bond at our death said Bond given to Mercy Lewis by William Lewis to the amount of \$400.00 four hundred dollars on file at the Co Clerks office in Delaware County on the 21<sup>st</sup> day of July 1855, at the death of William Lewis the above Bond is to inure to the benefit of Anjilla Lewis the daughter of the said William Lewis and we further give and bequeath to our son William the sum of five dollars and to our daughter Abigail Mead the sum of five dollars and to our daughter Jerusha Hood and to our daughter Phoebe Hawks, <sup>the</sup> ~~the~~ <sup>children</sup> ~~children~~ and to our son Josephus Lewis the farm we now live on situated in the town of Hancock being the S. E. part of lot #12. in lot 14 in great lot #235 Hadenburgh patent to be divided in three equal shares that is to say one third to Jerusha one third to Phoebe Hawks, <sup>the</sup> ~~the~~ <sup>children</sup> ~~children~~ to the number of 8 children each child to share equal in the said one third division of said land and each one's share of said land to be kept secure for him or her until or as fast as they shall become of mature age and each child's division given to them with the interest and use of his or her share at the age of twenty one years of age and the said childrens shares to be placed in the hands of our Executors or Administrators for the safety of the same and the benefit of said children and one third of said land we give to our son Josephus Lewis, and to our son Holloway Lewis two hundred dollars and to our

Daughter Harriett Kortright the sum of five dollars and we give and bequeath to John Lewis Siman one dollar and to Matty Logan Siman one dollar and we give one half of our wearing apparel to our daughter Jerusha Hood and the other half of our wearing apparel to be divided equally between Harriett Abbey and Phoebe our daughters and our household furniture to be equally divided between Jerusha Hood and Phoebe Hawks Senio Children that is to say one half of said furniture to given to Jerusha Hood and the other half to be divided equally between Phoebe Hawks Senio Children all other loose property that may be left at our decease on the farm we give to our son Josephus Lewis Excepting notes & money and we further appoint and constitute Josephus Lewis and James M. Miller our Executors of this our last will and testament hereby revoking all former wills by us made - In witness whereof we have hereunto set our hands and seals this tenth day of November in the year of our Lord one thousand eight hundred and fifty five

Henry Lewis (L.S.)  
 Mercy Lewis (L.S.)

The above instrument consisting of one sheet was at the date thereof signed sealed published and declared by the said Henry Lewis and Mercy Lewis as for their last will and testament in the presence of us who at their request and in their presence and in the presence of each other have subscribed our names as witnesses thereto.

Benjamin Bee } Residing at Hancock Delaware County  
 Emily P. Bee } Residing at Hancock Delaware County  
 Delaware County Surrogate's Court

In the matter of the probate of the last will and testament of Mercy Lewis late of said County deceased as a will of real and personal estate - Benjamin Bee of the town of Hancock in the County of Delaware being sworn deposes that he saw the above named Mercy Lewis late of the town of Hancock in said County of Delaware deceased subscribe and execute the instrument now shown him and which purports to be the last will and testament of the said Mercy Lewis and bears date the 10<sup>th</sup> day of Novemb<sup>r</sup> 1855 and that he heard ~~the~~ the said Mercy Lewis declare the same to be her last will and testament and that he this deponent together with Emily P. Bee the other subscribing witness subscribed his name as a witness to said instrument at her request at the time thereof the said Mercy Lewis was of sound mind and memory of full age to make said will and not under any

restraint -  
Sworn and Subscribed before me }  
the 22<sup>nd</sup> day of January 1856

Benjamin Lee

J. Palmer Surrogate  
Delaware County Surrogates Court

In the matter of the probate of the  
last will and testament of Mercy Lewis  
late of said County deceased as a will  
of Real and personal Estate

Delaware County ss.  
Emily P. Lee of the town of  
Hancock in the County of Delaware being sworn deposes that

she saw the above named Mercy Lewis late of the town of  
Hancock in the County of Delaware deceased subscribe and  
execute the instrument now shown her and which purports  
to be the last will and testament of the said Mercy Lewis and  
bears date the 10<sup>th</sup> day of November 1855 and that she heard the said  
Mercy Lewis declare the same to be her last will and testament  
and that she this deponent together with Benjamin Lee the  
other subscribing witness subscribed her name as a witness  
to said instrument at her request and at the time thereof  
the said Mercy Lewis was of sound mind and memory of full  
age to make said will and not under any restraint

Sworn and subscribed before me }  
the 22<sup>nd</sup> day of January 1856 }  
J. Palmer Surrogate

Emily P. Lee

I certify that the above is a correct copy of the whole  
of the last will and testament of Mercy Lewis deceased  
and of the proofs and examinations taken thereon and the  
same pursuant to an order of the undersigned Surrogate  
were here recorded this 22<sup>nd</sup> day of January 1856

J. Palmer  
Surrogate