

by him take his last Will and testament, that thereupon the deponent Margaret S. Rutgers, and James Elly severally subscribed their names at the end thereof as witnesses thereto at the request of the testator in his presence, and that the said testator at the time of executing & publishing the said last Will & Testament was of full age, of sound mind, memory and under any restraint.

Sworn this 23^d day of July 1836, before me
James Hooker, Surrogate.

John King

State of New York, Dutchess Surrogate Court. In the matter of proving the last Will and Testament of Anthony Rutgers deceased, Dutchess County vs James Elly of Belleville, state of New Jersey being duly sworn & examined doth depose & say that this deponent was well acquainted with Anthony Rutgers the above named testator, late of the town of Poughkeepsie in the county of Dutchess deceased. That this deponent was present as a witness & did see the said testator subscribe at the end thereof the instrument now produced to him by this deponent purporting to be the last Will and testament of the said deceased, bearing date the eighteenth day of April, in the year of our Lord, one thousand, eight hundred and thirty six. That the said testator at the same time declared the instrument so subscribed by him to be his last Will and testament. That thereupon the deponent Margaret S. Rutgers and John King severally subscribed their names at the end thereof as witnesses thereto at the request of the testator in his presence, and that the said testator at the time of executing & publishing the said last Will & Testament was of full age, of sound mind, memory and under any restraint.

Sworn this 23^d day of July 1836, before me
James Hooker, Surrogate.

James Elly

On the 23^d day of July A.D. 1836, the proofs & examinations of the witnesses to the Will of said Anthony Rutgers deceased, having been duly taken & filed, and it appearing satisfactory to the Court from said proofs so taken that the Will of said deceased was duly executed & that the said testator at the time of publishing the same was in all respects competent to devise his estate, not under any restraint, and the Court being satisfied of the genuineness & validity of said Will it is ordered that said Will with the proofs & examinations taken thereon be recorded in this office. James Hooker, Surrogate.

Dutchess County,
Surrogate's Office.

Recorded the preceding last Will & Testament of Anthony Rutgers dec^d, with the proofs & examinations taken thereon as the last Will & Testament of the Real and Personal estate of said deceased, which record is hereby signed and certified by me pursuant to the provisions of the Revised Statute, this twenty third day of July, in the year of our Lord, one thousand, eight hundred, and thirty six.

James Hooker Surrogate
Dutchess County,
Believed the Original Will of Anthony Rutgers dec^d, with the Probate thereof to the Executors & Executrix this 23^d day of August 1836.

James Hooker Surrogate

Record of the last Will and Testament of Edward Livingston deceased, proved, and recorded as a Will of Real and Personal estate, this twenty third day of July, in the Year of our Lord, one thousand, eight hundred, and thirty six.

I Edward Livingston do make this my last Will and Testament, written and dated altogether in my own hand, writing, that it may be valid as an holographic testament in the state of Louisiana, and attested by three witnesses, that it may serve as a valid disposition of my property in the state of New York, & elsewhere where such attestation may be required, I give devise and bequeath to my wife Conice all my estate, real as well as personal, whatsoever, and wheresoever situated, requesting her as soon as convenient after my decease to secure by her Will such part of my said estate as may remain undivided of by her at her decease to my daughter, and her children, and on their default, to such of my nephews or nieces or their descendants as my said wife may think proper. She is acquainted with my wishes as to the selection, but is at liberty for change it, for any reason that she thinks would have produced the same change in my design. To avoid all doubt of my will on this subject I hereby declare that it is not my intention to give to my wife a life estate only; but that she is to have the sole and entire right to dispose of the said estate at her pleasure either during her life by deed or otherwise or by will, but that if she should die without making any such disposition, then my will is that my said estate shall vest in my daughter, and if she should die without issue in the lifetime of my wife then my will is, that such part of the said estate so undivided of by my wife shall vest in my nephew John R. Livingston and his heirs forever. In Witness whereof I have hereunto set my hand, and seal, at Paris the seventh day of March, in the Year of our Lord, one thousand, eight hundred, and thirty six; and I appoint my said wife sole executrix of this my last Will and Testament, and detainer of the property of which I may die seized, and possessed, or entitled to.

Signed, sealed, acknowledged, and proclaimed as the last Will and Testament of Edward Livingston in the presence of us who have signed our names as witnesses thereto in the presence of each other on the sixth day of January, in the Year of our Lord, one thousand, eight hundred, and thirty six.
Charles Mc Every
Soundez Brown
Chas. Mc Every, Jr

Edw. Livingston, T.S.

State of New York, Dutchess Surrogate Court. In the matter of proving the last Will and Testament of Edward Livingston deceased, Dutchess County vs Charles Mc Every of the City of New York, being duly sworn & examined doth depose & say that this deponent was well acquainted with Edward Livingston the above named testator late of the town of Red Hook, in the county of Dutchess deceased. That this deponent was present as a witness & did see the said testator subscribe (or lend) his name to the instrument now produced to him by this deponent purporting to be the last Will and testament of the said deceased, bearing date the

