

Be it remembered that heretofore on the first day of October one thousand eight hundred and seventy seven William Edwards and Newton Van Derveer executors named in the last will and testament of John Edwards late of the town of Glen in the County of Montgomery deceased appeared in open court before S Palmer Heath Surrogate of said County and made application to have the said last will and testament which relates to both real and personal estate proved and on such application the said Surrogate did ascertain by satisfactory evidence who were the heirs and next of kin of the said testator and their respective residences - And the said Surrogate did thereupon issue a citation in due form of law directed to the said heirs and next of kin by their respective names stating their respective places of residence requiring them to appear before said Surrogate at his office in the village of Fonda in said County on the tenth day of October 1877 to attend the probate of the said will -

And afterwards on the said tenth day of October 1877 satisfactory evidence by affidavit was produced and presented to the said Surrogate of the service of the said citations in the mode prescribed by law and on that day no one appearing to oppose the probate of said will such proceedings were thereupon had that the said Surrogate took the proofs of the said will hereinafter set forth upon this tenth day of October 1877 and he adjudged the said will to be a valid will of real and personal estate and the proofs thereof to be sufficient which said last will and testament and proofs are as follows that is to say

The Will

of
John Edwards -

I John Edwards of the town of Glen Montgomery County N.Y. do make and publish this my last will and testament -

First - I bequeath all my household goods and furniture to my wife Ann and to my daughters or to such of them as survive me in equal shares and I direct my executors to apply to the use of my said wife Ann and my daughters Ellen and Margaret or to the survivors of them out of my estate whatever consumable household stores and provisions and fuel on hand at my death that may be necessary until they may become permanently situated

Second - I direct my Executors hereinafter appointed to sell and dispose of my real and personal estate as soon as convenient after my decease

SURROGATE'S OFFICE - V. J. M. G. CURRIE

having due regard to the interest of my estate: and I hereby empower my said executors or a majority of them to sell said real estate at such time or times together or in parcels with such stipulations relating to the title or payment of the purchase money or any other matter connected with such sale as my said executors or a majority of them may deem expedient - and also to execute such instruments and assurances as shall be requisite for completing the sale of my real estate aforesaid.

Third - I direct my executors to procure and erect a suitable stone to mark the place of my burial.

Fourth - I bequeath to my wife Ann Edwards absolutely two thousand dollars upon condition that she accept the same in lieu of dower in my estate.

Fifth - I direct my said executors to invest in some secure stock or upon Bond and Mortgage upon safe property the sum of four thousand and five hundred dollars, the interest of which or so much thereof as may in the opinion of my said executors be deemed necessary shall be by them applied to the support and maintenance of my daughter Ellen Edwards and in the event that it may be necessary in order that my said daughter may be properly cared for to use a larger sum than said interest then my said executors are directed to use so much of said principal sum as may be necessary to accomplish such object - On the death of said Ellen said sum so invested with the interest or any part thereof remaining shall be divided equally between my sons and daughters as though to such property I had died intestate - and I give the custody and control of the person of my said daughter Ellen to my daughter Margaret so long as she may choose to exercise such right - at least such is my decided request.

Sixth - For the purpose of securing a home for my daughter Margaret Edwards I desire her to select a house and lot wherever she may choose in the County of Montgomery or out of said County if a majority of my said executors and said Margaret shall so agree and I direct my said executors to purchase and pay for said house and lot so selected by said Margaret and to take a conveyance thereof in their names as such executors the cost of which house and lot shall not exceed the sum of three thousand two hundred and fifty dollars to my estate: and in case said Margaret may desire repairs additions or improvements made thereon the same shall be so made and shall be paid for by my said executors but such improvements and the original cost of said house and lot together shall not exceed said sum of three thousand two hundred and fifty dollars said house and lot shall be under the sole control of said Margaret as

fully as though she was the owner of the same in fee until she shall marry or die and upon the occurrence of either of such events, then said house and lot shall be sold by my said executors and the net avails thereof shall be divided equally between my sons and daughters excepting my daughter Ellen - And in case my said daughter Margaret shall not select such house as aforesaid immediately after my death then at her option she may lease or rent premises for her occupancy until she may find a suitable place to purchase as aforesaid but such rent shall not exceed the interest on said sum of three thousand two hundred and fifty dollars per annum and shall be paid by my executors but such leasing shall not continue for more than two years unless with the consent of my said executors or a majority of them - I hope it may prove satisfactory to my said daughter Margaret that her mother and her sister Ellen may make their home at such proposed place with her and upon mutually satisfactory terms: but this provision in said Margaret's favor is made unembarrassed by any legal claim whatever upon it -

Seventh - I give and bequeath to my sons and daughters as follows:

to my son William H Edwards one thousand dollars: to my daughter Ann Maria Ostrom wife of Stephen Ostrom two thousand dollars: to my son John V B Edwards three thousand dollars to my daughter Margaret Edwards three thousand dollars: to my daughter Antoinette Barbhydt wife of James Barbhydt two thousand dollars (\$2000.) and to my daughter Jane Van Derveer wife of Newton Van Derveer two thousand dollars - But if for any cause my estate should prove inadequate to the charges in this will made upon it then I direct that the before mentioned legacies and investments shall be made and paid in the following order - first said legacies to my said wife Ann and the investment for the benefit of my said daughter Ellen and the provision for her benefit as provided in the first clause of this will - secondly, said investment to secure a permanent home for my said daughter Margaret and said legacy of three thousand dollars to her and the further provision for her benefit as set forth in said first clause of this will: third - the legacies hereinbefore bequeathed to my said sons William H and John V B and to my said daughters Ann Maria - Jane and Antoinette and if there should be found insufficient to pay the legacies as in this third clause provided then each of said five legacies shall receive in such proportions as his or her said legacy bears to the sum of said several legacies united -

V^s Edwards and to my daughters Ann Maria Ostrom Margaret Edwards
Antonette Barlydt and Jane Van Derwee share and share alike -

The legacies herein provided to be paid to my said wife of two thousand dollars
and to my daughter Margaret of three thousand dollars and the investment for
the benefit of my daughter Ellen of four thousand five hundred dollars shall
draw interest from the date of my death -

I do hereby appoint my son William H Edwards ~~and John X Edwards~~
and my son in law Newton Van Derwee Executors of this my last will and
testament and I hereby revoke all wills heretofore by me made

In witness whereof I have hereunto set my hand and seal this first
day of May in the year 1875 -

The words "and John X Edwards" over the
line above on this page stricken out before
execution -

John ^{his} X Edwards ES
mark

Subscribed by John Edwards the testator named in the foregoing will in
our presence and at the time of making such subscription said will
was read over to said testator and declared by the testator to be his last
will and testament and each of us signs his name as a witness to
said will at the request of the testator and in his presence -

Walter S. Vandenburg who resides at Amstervelds Montgomery County N.Y.
William R. Chapman who resides at Fultonville Montgomery County N.Y.

State of New York } Surrogate's Court
Montgomery County }

~~In the matter of proving the will
of
John Edwards deceased -~~

~~Montgomery County ss
Walter S. Van Denburg of the town of
Amstervelds in the County of Montgomery and William R. Chapman
of the town of Glen in the County of Montgomery being duly sworn and
examined in open court before S. Pulver Heath Surrogate of said
County do depose and say and each for himself depose and
swear that he was acquainted with John Edwards in his life
time and was present and saw the said John Edwards sub-
scribe his name at the end of the instrument in writing now
produced and shown bearing date the first day of May 1875~~