

Transcribed and contributed by Donna Grothaus:

Will of Adolph I.\* Walrath, Book 2, Wills of Montgomery Co., NY (None of the original records on file)

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 Greetings. Know Ye that at Johnstown in the County of Montgomery, before James Lansing Esquire, Surrogate of our said County, the last Will and Testament of Adolph I.\* Walrath deceased (a copy whereof is hereunto annexed) was proved, and is now approved and allowed of by us, and the said deceased having whilst he lived, and at the time of his death, Goods, Chattels or Credits with this State, by means whereof the proving and registering the said Will and the granting Administrator of all and singular the said Goods, Chattels and Credits, and also the auditing allowing and final discharging the Account thereof doth belong unto us, the Administration of all and singular the Goods Chattels and Credits of the said deceased and any way concerning his Will is granted unto Delos White one of the Executors in the said Will named, he being first duly sworn well 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 also to render a just and true Account thereof when thereunto required. In Testimony whereof we have caused the Seal of Office of our said Surrogate to be hereunto affixed. Witness James Lansing Esquire, Surrogate of the said County at Johnstown the eighteenth day of August in the year of our Lord one thousand eight hundred and fourteen and of our Independence the thirty ninth, signed James Lansing.

In the name of God amen, I, Adolph I.\* Walrath of the town of Canajoharie in the County of Montgomery being of sound mind and memory blessed by God do make publish and declare this my last Will and Testament in manner following. First, I give and bequest to my wife Catherine should she out live me, the House in which I now live, the barn, out houses and thirty six acres of land which I purchased of John G. Helmer and deeded to me on the 21<sup>st</sup> of May 1798 on which the said house barn etc. stands and also two cows, my best span of horses, ten sheep two hogs all the poultry I may have at the time of my death and all my house furniture and which is to be considered in lieu of all claims of Dower and the said Land and premises my said Wife is to have during her natural life only.

Item, I give and bequeath to my son Abraham, one hundred acres of land conveyed to me November the 11<sup>th</sup> 1793 by John Hess (Note of D. Grothaus: 'Peter A. from Catherine 28 Feb 1818/ rec. 18 Nov 1828 - this must be giving up dower rights'), also fifty acres of land being part of Lot no. eight in a patent granted to Philip Livingston and others and which fifty Acres adjoining the house Farm and also the thirty six acres above given to my wife after the decease of my said Wife. Also my clock and all the farming utensils, Horses, Cattle, Sheep & Hogs I may have at the time of my decease and which I shall not hereafter dispose of.

Item, I give and bequeath to my Son Peter, the Bowman Creek Farm containing one hundred and thirty one Acres conveyed to me on the fourth Day of July 1787 by Adam Bowman and Jacob Bowman and also all the farming utensils horses and cattle that are attached to the said farm at the time of my making this my last Will & Testament.

I, I give and bequeath to my Grand Son, David Walradt, the Son of my Son Peter fifty acres of Land adjoining the Lands which I have above bequeathed to my Son Peter and which fifty Acres was conveyed to me by Peter Walradt and his wife Mary on the 21<sup>st</sup> Day of May 1798 (Note of D.Grothaus: 'westernmost moiety or half part of Lot #3 granted to Elizabeth Colden'). Also I give and bequeath to my said Grand Son David one hundred Dollars to be paid out of the money I may have on hand or that may be due me at the time of my decease.

Item, I give and bequeath to my daughter Caty, one hundred Acres of Land being part of Lot no. eight in a patent granted to Philip Livingston and others conveyed to me on the 5<sup>th</sup> Day of May 1794 by Johannes Young & Maria Elizabeth his wife. (5:1 Montgomery Co.)

Item, I give and bequeath to my Daughter Polly, but in trust only for her Children, one hundred Acres of Land being part of Lot one in the Tract of Land granted to Frederick Young and others conveyed to me on the 15<sup>th</sup> day July 1797 by Jacob Garlough and Catherine his wife. And it is my Will and I hereby order and direct that my said Daughter Polly shall have the use or income of the said one hundred Acres of Land during her natural Life and that after her decease it shall be equally divided between her children.

Item, All the money I may have on hand at the time of my decease or that may be due me and which I have not given or bequeathed to my Grandson David, I hereby order and direct to be equally divided between my Children with the following exception that is: Polly's part shall be let out on annual Interest by my Executors and the Interest be annually paid to her during her natural Life and that after her decease the principal shall be equally divided between her children.

Item, It is my Will and I hereby authorize my Executors or the Survivor of them at their discretion whether to lease out the Farm or Lot of Land which I have given above to my Daughter Polly and to pay to her and for her use the rents and benefits annually or to let her have the use and occupation of the said Farm as they may Judge best calculated for immediate benefit, this only to continue during the Life of my said Daughter Polly & then the property to be divided as above directed.

Lastly, I do hereby constitute and appoint my Friends Joseph White, Lester Holt and Delos White, Executors of this my last Will and Testament & I hereby empower them or the Survivors or Survivor of them to do and perform all and every Act and thing which appertains to Executors to do and to carry into effect the intentions of this my last Will and Testament. In witness whereof I have hereunto set my hand and Seal this 20<sup>th</sup> Day of August in the Year of our Lord one thousand eight hundred and twelve.

Signed, sealed, published and declared by the above Adolph I.\* Walradt to be his Last Will and Testament in the presence of us who have hereunto subscribed our names in presence of the Testator, Joel Norton, Prentiss Leonard, Menzo White.

In the first line on the second page the word "Grand" interlined, third line from the bottom same page "annual" interlined - third page, tenth line from the top "due me" interlined, last page, second line from bottom "subscribed" wrote on an erasure. All done before Execution.

Adolph Walradt (LS)

Be it remembered that on the eighteenth day of August one thousand eight hundred and fourteen, personally appeared before me James Lansing, Surrogate of the County of Montgomery Menzo White, who being duly sworn deposeth and saith, that he saw Adolph I.\* Walradt sign and seal and heard him publish and declare the foregoing instrument as and for his last will and testament: That the said Adolph I.\* Walradt was at the time of thereof according to the best of judgement and belief of this Deponent of sound and disposing mind memory and understanding. That he this Deponent subscribed his name thereto as a Witness to the execution thereof in the Testators presence and that he at the same time saw Jack Norton and Prentiss Leonard respectively subscribe their names thereto as Witnesses to the execution thereof, also in the said testators presence.

James Lansing

The preceeding are Copies of the Last Will and Testament of Adolph I.\* Walradt deceased of the Certificate of the proof thereof and of the Letters testamentary thereon.

Registered the eighteenth Day of August 1814.

James Lansing Surrogate.

Be it also remembered that on the said eighteenth Day of August last mentioned personally appeared before me the said Surrogate, Delos White one of the Executors in the last Will and Testament of the said Adolph I.\* Walradt deceased named and was duly sworn as Executor.

James Lansing

\*researchers enter “I. or J.” as it is not certain what the middle initial was. The capital script J and I look alike. Since the original will is not available, the recorder of the will is the one whose writing is in question. Adolph is considered a son of Johannes Walrath/Walradt and Amelia Sutz, therefore his middle initial would be ‘J.’.