

Probate of the Will of Richard Horning

As written 25 August 1825 and recorded 19 April 1827 in Montgomery County, New York Will Book IV, pp. 90-92. (LDS Film #506,566)

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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 Said Greeting. Know ye, that at the Village of Johnstown, in the County of Montgomery, on the nineteenth day of April in the year of our Lord One thousand eight hundred and twenty seven, before Tobias A. Stoutenburgh, Esquire, Surrogate for said County, the last Will and testament of Richard Horning 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 and credits, within this State, by means whereof the proving and registering the said will, and granting administration 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 Garret W. Walradt an Executor 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 audits, and also to render a just and true account thereof, when thereunto required. In testimony whereof, we have caused the seal of office of one said Surrogate to be hereto affixed. Witnessed Tobias A. Stoutenburgh, Esquire, Surrogate of our County of Montgomery, at the Village of Johnstown, the nineteenth day of April in the year of our Lord One thousand eight hundred and twenty seven, and of our independence the fifty first.

Tobias A. Stoutenburgh

The last will and testament of Richard Horning of the town of Canajoharie and the county of Montgomery and State of New York – I Richard Horning understanding the uncertainty of this mortal life and being of sound mind and memory (blessed be Almighty God for the same) do, make and publish my last will and testament in manner and from following that is to say

First I give devise and bequeath unto my beloved wife Catharine Horning all my personal property & movables of every description whatsoever & all debts if any due to me, and she the farm I bought of William Fink adjoining the farm of Garret W. Walradt in Canajoharie aforesaid containing about one hundred & five acres to have & to hold the same to the said Catharine Walradt my wife her heirs and assigns forever and to be disposed of as she shall think fit. Item: I give depose and bequeath unto my nephew Richard R. Horning who now lives with me the farm on which I now live, containing about one hundred and sixteen acres; to have and to hold the same to him & his heirs forever. Lastly, I do hereby nominate & appoint the sons of my wife Garret W. Walradt and Abraham Walradt to be executors of this my last will and testament hereby revoking all former wills by me made. In witness whereof I have unto set my hand & seal this twenty fifth day of August one thousand eight hundred & twenty five.

Richard Horning

Signed, sealed, published & declared by the above named Richard Horning 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 & of each other.

J. O. Morse, Michael Van Deusen, Henry Ludlow
(the names of the witnesses are difficult to decipher)

State of New York

Montgomery County: Be it remembered that on the nineteenth day of April in the year of our Lord One thousand eight hundred and twenty seven personally appeared before me Tobias A. Stoutenburgh Surrogate of the said County of Montgomery Michael Van Deusen one of the subscribing witnesses to the last will and testament of Richard Horning late of the town of Canajoharie in the said County of Montgomery deceased, who being duly sworn, declared that he saw the said Richard Horning deceased, seal and execute the instrument hereunto ?, and inscribed with the seal of office of the said Surrogate, which said witness purports to be that last will and testament of the said Richard Horning deceased, bearing date the twenty fifth of August in the year of our Lord One thousand eight hundred and twenty five, that he heard him the said Richard Horning publish and declare the same as and for his last Will and testament; that at the time thereof he the said Richard Horning was of sound and disposing mind, memory and understanding, to the best knowledge and belief of him the said Michael Van Deusen and that he together with James O. Morse and Henry Ludlow the other witnesses to the said Will did severally subscribe their names thereto as witnesses to the execution thereof, in the presence of the said Richard Horning the testator. In testimony whereof the said Surrogate hath hereunto set his hand and affixed his seal of office Done at the Village of Johnstown, this nineteenth day of April in the year of our Lord one thousand eight hundred and twenty seven.

Montgomery County, Be it also remembered that on the nineteenth day of April in the year of our Lord one thousand eight hundred and twenty seven, personally appeared before me the said Surrogate Garret W. Walrad an executor in the aforesaid Will named, and was duly sworn to the faithful performance and execution thereof, by the usual oath in that case provided.

Tobias A. Stoutenburgh

The preceding are true copies of the last Will and testament of Richard Horning deceased of the certificates of proof and oath of Executor and the letters testamentary ?
Registered April 19th 1827

Tobias A. Stoutenburgh Surrogate.