

Will of John J. Walradt 1772-1858

Transcribed by Jerry L. Walrath

Be it remembered that heretofore on the 27th day of November in the year of our Lord one thousand eight hundred and fifty eight, Gertrude Mudge one of the legatees in the last will and testament of John J. Walradt late of the town of Granby in the county of Oswego deceased appeared in open court before the surrogate of the county of Oswego and made application to have the said last will and testament which relates to both real and personal estate proved and as such application the said Surrogate did ascertain by satisfactory evidence who were the legatees, heirs and next of kin of the said testator and their respective residences and all of the legatees heirs at law and next of kin of the said deceased having personally appeared in open court and prayed the said surrogate by petitions which is on file in the said surrogate's office that he would proceed to the immediate examination of the witnesses so said will and so the hearing of the proof necessary to establish the same and on that day no one appearing to oppose the Probate of such will such proceedings were thereupon had in said court afterwards that the said Surrogate took the proof of said will hereinafter set forth upon the 27th day of November A.D. 1858 and he thereupon adjudged the said will to be a valid will of Real and Personal estate and the proof thereof to be sufficient which said last will and testament and the proofs are as follows that is to say

Will

In the name of God. Amen. I John J. Walradt of the Town of Granby County of Oswego & State of New York being of the age of seventy six years & of sound mind & meaning do hereby make publish and declare this my mast will & testament in manner following that is to say:

First. I give and devise to my daughter Gertrude Mudge the following described parcels of land on Lot No 84 Hannibal Township (now Granby) in the county of Oswego & State of New York viz commencing in the East line of the Fulton & Oswego Road at a point where the division line between lands of Lucius Lantisman (sp?) & John J. Walradt meets said East line of said road. Thence easterly along said division line to the Oswego River. Thence northerly along said River to a line drawn parallel to the said division line and six rods distant therefrom. Thence westerly along said parallel line to the said east line of the Fulton & Oswego Roads. Thence southerly in a straight line to the place of beginning. Also that this parcel of land known and distinguished as being Lot Number eight (8) on Block No two (2) on land laid out in village lots by John J. Walradt said lot being four rods in width and twenty rods in depth fronting on the Fulton & Hannibal Plank Road & being parcel lately occupied by William Parker & for which he once held a contract from me.

Second. I give and devise to my daughter Mary Walradt all those pieces and parcels of land on Lot No 74 Hannibal Township (now Granby) Oswego County N.Y. described as follows viz commencing at a point in the east line of the Fulton and Oswego Road at the northwest corner of the parcel hereinbefore devised to my daughter Gertrude . Thence northerly on said east line of said road to the north side to the north side of the large post to which the large gate to my door yard is hung & being about eleven rods. Thence easterly on a line parallel to the north line of the parcel hereinbefore devised to my daughter Gertrude to the Oswego River. Thence southerly along said Oswego River to the said north lines of the premises hereinbefore devised to my daughter Gertrude. Thence westerly along said north line to the place of beginning. Also that this parcel commencing viz the west line of the Fulton & Oswego Road at the north east corner of Block No one as surveyed by G.D. Buel for John J. Walradt thence westerly along the north line of said Block eight rods. Thence southerly at right angles south the east line described line ten rods to the division line of said Block. Thence easterly along said division line

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to the west line of the Fulton & Oswego Roads. Thence northerly along said west line of said road to the place of beginning containing two lots a surveyed by said Buel.

Third. I give and devise to my daughter Ellen Eliza Marsh all those parcels of land on Lot No 74 Hannibal Township (now Granby) Oswego County N.Y. described as follows viz commencing at a point in the east line of the Fulton & Oswego Road at the northwest corner of the parcel first hereinbefore devised to my daughter Mary Walradt Thence easterly along the north line of the parcel first hereinbefore devised to my said daughter Mary to the Oswego River. Thence northerly along said river to a line drawn parallel to the said north line & seven rods distant there from. Thence westerly along said parallel line to the east line of the Fulton & Oswego Road. Thence southerly along said east line of said road to the place of beginning. Also that other parcel commencing in the north line of the Fulton & Hannibal Plank Road at the southeast corner of the parcel heretofore deeded to John J. Walradt & wife to Theodore H. Bromfield & now owned by said Bromfield, Thence northerly on said Bromfield east line ten rods. Thence easterly at right angles with said last described line six rods. Thence southerly in a line parallel to said Bromfield east line ten rods to the said Plank Road. Thence westerly along the north line of said Plank Road to the place of beginning being a part of Block No one as surveyed by G.D. Buel.

Fourth. I give and devise to my brother Leonard Walradt the following described parcel of land on Lot 74 Hannibal Township (now Granby) in Oswego County N.Y. known and described as follows viz the North line of the Fulton & Hannibal Plank Road at the south east corner of the lot now owned by P____ Andrews Thence northerly ten rods along the east line of said Andrews lot. Thence easterly at right angles with said described line four rods to the west line of a street laid out & opened by me. Thence southerly along the west line of said street to the north line of said Plank Road ten rods. Thence westerly along the said north line of said Plank Road to the place of beginning.

Fifth. I give and devise all the rest residue & remainder of my Real estate of every name nature & kind whatsoever to my daughters Gertrude Mudge Mary Walradt & Ellen Eliza Marsh each to have an undivided third part share.

Sixth. I give and bequeath to my brother Leonard Walradt Land Warrant No. 70.441 for one hundred & twenty acres of land issued to me for services in the war of 1812 & of date May 9, 1856.

Seventh. I give & bequeath to my daughter Mary Walradt all my household furniture carpets clothing beds & bedding.

Eighth. I give & bequeath all the rest residue & remainder of my personal estate after paying my debts and funeral expenses & all the expenses legal fees & charges of my executors hereinafter mentioned & appointed for services by them rendered as such executors to my daughters Gertrude Mudge Mary Walradt & Ellen Eliza Marsh the same to be divided equally among them share & share alike.

Lastly. I do hereby nominate & appoint my friends Lewis E. Loomis John J Wolcott & Samuel N. Dada executors of this my last will & testament hereby revoking all former wills by me made.

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In witness whereof I have hereunto set my hand & seal this 22nd day of October 1858. John J. Walradt

The above instrument consisting of six pages & four lines was at the date thereof signed sealed and published & declared by the said John J. Walradt as & for his last will & testament in the presence of each of us who in his presence & at his request & in the presence of each other have subscribed our names as witnesses thereto.

Jacob Cristman of Osqego Falls Oswego Co. N.Y.

Samuel N. Dada of Fulton Oswego Co. N.Y.

Surrogate Court

In the matter of proving the Last Will & Testament of John J. Walradt deceased

Samuel N. Dada of Fulton & Jacob Cristman of Granby being first duly sworn in open court upon their sworn corporeal oaths each for himself doth depose and say that they are subscribing witnesses to the Last Will & Testament of John J. Walradt late of the town of Granby in the County of Oswego and State of New York. Deceased. And these deponents do further say that the said deceased did in the presence of each of these deponents subscribe his name at the end of the instrument in writing which is now here shown to these deponents and which purports to be the Last Will & testament of the said deceased and which bears date on the 22nd day of October one thousand eight hundred and fifty eight.

That the said deceased did at the time of subscribing his name to the said instrument as aforesaid did declare the same to be his Last Will & Testament and these deponents did therefore did subscribe their own respective names at the end of said instrument as attesting witnesses to the execution thereof each at the request of the said deceased and in his presence and in the presence of each other. That the said deceased at the time of his subscribing his name to said instrument as aforesaid and publishing said instrument as aforesaid was upwards of twenty one years of age and a citizen of the United States. That he appeared to be and deponent believes he was of sound mind memory and understanding and not under any restraint and as deponents verify believe in all respects competent to devise real estate that each of these deponents saw the other sign his name to said instrument in the presence of said deceased.

Samuel N. Dada

Jacob Cristman

Subscribed and sworn to before me this 28th say of November 1858

Amos G. Hull Surrogate

Oswego County

It appearing upon the proofs duly taken in respect to the Last Will & Testament of John J. Walradt late of the Town of Granby in the County of Oswego and State of New York deceased. That the said will was duly executed and that the said John J. Walradt at the time he executed the same was in all respects competent to devise Real estate and not under any restraint. The said Last Will and Testament and the proofs and examination are hereby recorded signed and

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certified pursuant to the provisions of the Revised Statutes this 27th day of November A.D. 1858.

Amos N. Hull Surrogate