

1887 Will and Codicil of Abram Walrath 1799 - 1881

I Abram Walrath of the Town of Minden, Montgomery Co., NY do make publish & declare this my last will and testament in manner and form following. That is to say:

First, That out of my personal estate my executors pay my just debts and funeral expenses; also the funeral expenses of my beloved wife, Eve; also the expenses of erecting at our graves proper headstones.

Second I give devise and bequeath to my beloved wife Eve for and during her natural life the use and enjoyment of all that part of my homestead dwelling house now used and occupied by us together with all the privileges in said house and the yards and outbuildings connected with said house we now use and enjoy. And I also give unto my said wife during her life the use and enjoyment of all my household furniture and will and direct that she be furnished at such dwelling house by my son Franklin with all the coal and fuel as she may require and with such farm produce as she may require for use of such kinds as may be raised and produced on the homestead farm hereinafter devised to my son Franklin. And it is my will and I hereby direct the executors of this my will out of the income of my personal estate furnish and provide my said wife from time to time as may be required sufficient money to procure all the necessary provisions for her comfortable support and maintenance and such clothing and pocket money as she may desire and also to provide her with a suitable housekeeper and such other servants as may be necessary for her with all necessary medical attendance.

Third. I give and devise to my son Franklin Walrath all my homestead farm situate in the town of Minden aforesaid upon which I now reside subject to the use enjoyment and privileges of my wife therein as mentioned in the second clause of this instrument and my said son Franklin is hereby charged with furnishing to my said wife his Mother the fuel, coal and farm produce mentioned in said second clause of this instrument. And my said son Franklin shall keep and maintain my brother Daniel on said farm during his life in the manner I have heretofore been accustomed to keep and maintain him and provide him with all things necessary for his comfort in sickness and in health and the bed and bedding used by my said brother shall be kept for his use as long as he lives.

Fourth. I give and bequeath to my daughters Maria Elwood, Nancy Moyer and Matilda Evans all the household furniture remaining at the death of my said wife their Mother except the stove, carpets, _____ and pictures on the wall, bookcase and the two rocking chairs used by myself and wife ____ and the bedding used by my brother Daniel, which excepted articles are to remain in my said house and be the property of my son Franklin.

Fifth. I also give and bequeath unto my said daughters Maria, Nancy, and Matilda each the sum of fifteen hundred dollars payable after the death of my wife, their Mother should she survive me but in the event of her death before my death then such legacies to be paid one year after my death.

Sixth. The rest and residue of my estate after satisfying all the other provisions of this my will I give devise and bequeath unto my sons Henry Walrath, Josiah Walrath, James Walrath and Franklin Walrath share and share alike, but no division of my personal estate to be made during the lifetime of my said wife should she survive me.

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Seventh. Should my wife survive me it is my will and I hereby direct my executors to take charge of all my personal property except household furniture and after the payment of my debts and funeral expenses including the headstone, the remainder thereof to be kept at interest during the lifetime of my said wife upon such securities as they may deem safe and prudent and that such part of the income thereof not required to carry out the provisions herein made for my said wife be invested in the same manner.

Lastly I constitute and appoint my sons Henry Walrath and Josiah Walrath of this my last will hereby revoking all other or former wills by me made.

In witness whereof I have hereunto subscribed my name to this my will this 10th day of October 1878.

Abram Walrath

I Abram Walrath of the Town of Minden, Montgomery Co., NY do make publish & declare this to be a codicil to my last will and testament bearing date October 10, 1878 and to be taken as a part of said last will and testament.

Whereas in the 6th clause of said last will and testament I have given the residue of my estate after satisfying all other provisions of said will to my sons Henry Walrath, Josiah Walrath, James Walrath, Alfred Walrath, and Franklin Walrath to be divided between them share and share alike at the time mentioned in said sixth (6th) clause.

Now it is my will and I direct that all notes or payments I may hold against either of my said sons at the time of my death no matter whether barred by the statute of limitations or not shall be taken as part of my estate and in said divisions the said notes or payments I hold against any of my said sons shall be taken as part of the share of such son, otherwise my will to remain in full force.

July 28, 1887 Abraham Walrath

Transcribed from a handwritten document that appeared to be copied from the original since the signature was in the same handwriting as the rest of the document. It was on lined paper that did not appear to be available during the time of the will (1887). The document was given to me by Richard Walrath, son of Cecil, only for the purpose of transcription.

**Jerry L. Walrath
590 Augusta Blvd.
Naples, FL
May 10, 2007**