

Petition for Proof of Will.

TO THE SURROGATE'S COURT OF THE COUNTY OF SCHENECTADY :

The petition of Leon Fairchild
respectfully shows :

I. That Maria Plank _____ late of the
City of Schenectady _____, departed this life
on the 30th day of October _____, 1897 _____, leaving an instrument
in writing, purporting to be a last will and testament, dated the 5th day
of December _____, 1890 _____,

_____ which is
signed by the testator, at the end thereof, and by Aly J. Thomson
and Frank B. Ridinger _____ as subscribing witnesses.

II. That the decedent was, at, or immediately preceding the date of his death, a resident of the county of Schenectady, in which county he died on the aforesaid date.

III. That the said will relates to both real and personal property.

IV. That as your petitioner is informed and believes, the following persons are the only persons interested in the estate of the said decedent or entitled to share therein, or entitled to be cited on a petition for the probate thereof, under Section 2615 of the Code of Civil Procedure, as amended by Chapter 174 of the Laws of 1891.

NAME	RELATIONSHIP OR INTEREST.	RESIDENCE.
<u>Caroline Fairchild</u>	<u>Daughter</u>	<u>Schenectady, N.Y.</u>
<u>Adam F. Plank</u>	<u>Son</u>	<u>Monte Vista, in State of Colorado</u>
<u>Leon D. Fairchild (petitioner)</u>	<u>Grandson & Legatee</u>	<u>Schenectady, N.Y.</u>
<u>Ada Fairchild</u>	<u>Granddaughter Legatee</u>	<u>" " " "</u>

The persons above named embrace the ^{heirs & legatees} ~~heirs & legatees~~ ~~wife~~ of said testator, all his heirs and next of kin, all persons in being, who would take an interest in any portion of his real or personal property, and the executor and trustee (if any) named or described in said will.

I Maria Plank widow &c, of the City of Schenectady N.Y. being of sound mind and memory do make ordain publish and declare this to be my last will and testament, that is to say First - After all my lawful debts are paid and discharged, I give devise and bequeath unto my daughter Caroline Fairchild one undivided half of all my property both real and personal of whatsoever name and nature which I may possess at the time of my death.

Second. I give devise and bequeath unto my grandson Leon D. Fairchild the remaining one half of all my property both real and personal, of which I may be possessed at the time of my death, charging his share with the cost of a lot in the cemetery and the cost of a suitable tombstone the same to cost not less than twenty five dollars.

I hereby direct, in consideration of his legacy, that Leon D. Fairchild shall purchase a lot in vale cemetery and place therein a suitable tombstone at my grave within one year from my death. That said Leon D. Fairchild shall pay unto his sister, Ada, out of his share above mentioned the sum of one hundred dollars (\$100.) eighteen months after my death, and which said legacy to said Ada is made a charge on the real estate herein devised to said Leon. The said legacy payable to said Ada in person whether she shall have attained the age of twenty one years or not.

Likewise I make constitute and appoint Caroline Fairchild wife of Charles Fairchild and Leon D. Fairchild to be executor and executrix of this my last will and testament, hereby revoking all former wills by me made.

In witness whereof, I have hereunto subscribed my name and affixed my seal the fifth day of December in the year one thousand eight hundred and ninety

Maria Plank (S.D.)
The above instrument consisting of one

sheet, was at the date thereof subscribed by Maria Plank in the presence of us and each of us: she at the time of making such subscription, acknowledged that she made the same, and declared the said instrument so subscribed by her to be her last will and testament. Whereupon we then and there, at her request, and in her presence and in the presence of each other, subscribed our names as witnesses thereto. Alex. J. Thomsow residing at Schenectady N.Y.
 Frank B. Richtmyer " " " " " "
 Admitted to probate January 15th 1894.

In the name of God amen, I George Fisher of the Town of Rotterdam Schenectady County and State of New York do make publish and declare this my last will and testament in manner and form following:

First. I order and direct that all my just debts funeral and testamentary expenses be paid and discharged from my personal estate, other than that devised, and bequeathed to my wife.

Second. I give and bequeath to my wife Mirriam Fisher the sum of sixteen hundred dollars to be paid to her in one year after my decease.

Third. I give and bequeath to my son George W. Fisher the sum of one thousand five hundred dollars to be paid to him in one year after my decease.

Fourth. I give and bequeath to my granddaughter Mirriam Fisher child of my deceased son Richard Fisher the sum of one hundred dollars to be paid to her one year after my decease.

Fifth. I give and bequeath to my son Harvey Fisher the sum of fifteen hundred dollars to be paid to him in one year after my decease.

Sixth. I give devise and bequeath to my son George W. Fisher all that certain farm so described in a deed from Watson W. Fisher to me bearing date February 17th 1877 and recorded in the office of the clerk of Schenectady County in Book of deeds No. 66 page 406 &c, to him his heirs and assigns

SCHENECTADY COUNTY SURROGATE'S COURT.

In the Matter of the Probate of the last Will and Testament of

Maria Plank

Deceased.

Executor's Affidavit as to Value of Estate.

State of New York, }
COUNTY OF SCHENECTADY, } ss.

Leon D Fairchild

, being duly sworn, says: that he is an Executor named in the last Will and Testament of *Maria Plank*, deceased; that the following list, which said affiant makes a part of this Affidavit and of said Petition for Probate, is a full and correct list of the names and residences of all the persons and bodies who are in any way entitled to any legacy, devise, interest, or estate under or by virtue of the will of said deceased, or from said decedent; together with the relationship or otherwise of such persons to said decedent; and the nature, value and amount of such legacy, devise, interest, or estate; to the best of deponent's knowledge, information and belief.

Subscribed and sworn this *3^d* day }
of *November*, 189*3* }

Leon D Fairchild

Oliver Thomson *Mary Public,*

Clerk to the Surrogate's Court.

LIST REFERRED TO ABOVE.

NAME	RELATIONSHIP	NATURE OF INTEREST. (State separately value of Real and Personal Estate.)	VALUE
<i>Caroline Fairchild</i>	<i>Daughter</i>	<i>Heir at Law & Legatee</i>	<i>4000</i>
<i>Adam P. Fairchild</i>	<i>Son</i>	<i>Heir at Law</i>	
<i>Leon D. Fairchild</i>	<i>Grandson</i>	<i>Legatee</i>	<i>1000</i>
<i>Ada Fairchild</i>	<i>Granddaughter</i>	<i>"</i>	<i>100.</i>

Schenectady County, Surrogate Court
 In the matter of proving the Last
 Will and Testament of Cornelius
 Vrooman deceased, late of the City
 Schenectady, as a Will of Real and
 Personal Estate

Be it remembered that heretofore, to wit:
 on the second day of May A.D. 1863 Adonias B. Vander-
 more a juron named as Executor in the last Will and
 Testament of the above named Cornelius Vrooman de-
 ceased, made application to the County Judge of Schene-
 ctady County, by petition in writing duly verified and
 filed to have the said last Will and Testament ^{proved} as a Will
 of Real and Personal Estate and such proceedings were
 thereupon had before the said County Judge on the
 25th day of May 1863. That said Will was duly proved
 as a Will of Real and Personal Estate and admitted to
 probate and with the proofs and examinations taken
 thereon were ordered to be recorded pursuant to the Statute
 in such case made and provided which said last
 Will and Testament and the proofs and examina-
 tions taken thereon and in the words and figures
 following, to wit:

Will

Know all men by these presents that I Cornelius Vrooman
 of the City of Schenectady and County of Schenectady &
 State of New York of the age of twenty six years and
 being of sound mind and memory, do make publish
 and declare this my last Will and Testament in the
 manner following, that is to say.

First. It is my will and I desire that after my death my
 body be buried in a decent christianlike manner, and
 that all my just debts shall be paid out of my personal
 estate

Second. It is my will and desire and I hereby direct
 that my Executor hereinafter named and appointed shall
 have the power and he is hereby authorized to sell and
 dispose of all or any part of my real estate at public
 or private sale for the payment of my debts and the lega-
 cies hereinafter bequeathed.

Thirdly. I hereby give devise and bequeath unto my
 wife Dorcas and my daughter Maria in case my wife
 shall survive me the income of all my real and person-
 al estate after the payment of my debts and funeral

the life of my said wife, Dorcus provided however my said daughter Maria shall take care of, nurse and provide for my said wife, her mother, so long as she my said wife shall live.

Fourth, I give devise and bequeath unto my daughter Maria Plank, in view of the fact that I am indebted to her for labor, work, and services in taking care of my family the sum of six hundred dollars together with all my household and kitchen furniture including bedding and a large Potash Kettle and my white chest together with all its contents of every name and nature, also one cow & pig. I give devise and bequeath unto my sons James Bartholome and Jacob C. each the sum of One hundred and fifty dollars to my son Eldred the sum of Two hundred dollars, to my Grandson Cornelius ^{for his name} the sum of One hundred dollars. To my daughter Maria's daughter Cornelia wife of Charles Fenchell the sum of Fifty dollars; to my sister Fanny the sum of one hundred dollars to have and to hold unto the said devise and legatee their heirs and assigns for ever.

Fifth, I give devise and bequeath all the rest, residue & remainder of all my real and personal ~~estate~~ property of whatever name or nature to be equally divided between my daughter Maria Plank and my son Jacob C. Share and share alike.

Sixth, It is my will and desire and I do therefore direct that the legacies herein before bequeathed shall be paid one year after my death or in case my wife Dorcus shall survive me, then and in that case shall be paid three months after her death. And that the said legacies and bequests are in lieu of and to be accepted in full payment and satisfaction of all or any claims or claims which any of the aforesaid legatees or devisees may have or claim to have against me or my estate at the time of my death.

Lastly, I nominate constitute and appoint Adolphus R. Vandemore of the City of Schenectady the sole Executor of this my last Will and Testament thereby revoking all former wills by me made.

In testimony whereof I have hereunto set my hand and seal this 12th day of June One thousand Eight hundred and Sixty one at Schenectady. New York

Cornelius X ^{his} Koorman
marr

MARIA PLANK

WILL.

(173)

AVERY HERRICK, Publisher and Printer, Albany, N. Y.

I Maria Plank, widow of the city of Schenectady NY

being of sound mind and memory, do make, ordain, publish and declare this to be my last Will and Testament, that is to say:

First.—After all my lawful debts are paid and discharged, I give, devise and bequeath unto my daughter Caroline Fairchild one undivided half of all my property both Real and Personal of whatsoever name and nature which I may possess at the time of my death.

Second. I give, devise and bequeath unto my grand son Leon B. Fairchild the remainder one half of all my property both Real and Personal, of which I may be possessed at the time of my death charging his share with the cost of a lot in the cemetery and the cost of a suitable tombstone the same to cost not less than \$25.

I hereby direct, in consideration of his legacy, that Leon B. Fairchild shall purchase a lot in Vale Cemetery and place therein a suitable tombstone at my grave, within one year from my death. That said Leon B. Fairchild shall pay unto his sister, Ada, out of his said share above mentioned the sum of one hundred dollars (\$100) 18 months after my death, and which said legacy to said Ada is made a charge on the real estate herein devised to said Leon. The same may be paid or not as she shall have attained the age of 21 years or not.

PLEASE RETURN WILL TO
SCHENECTADY COUNTY
SURROGATE'S COURT
AFTER MICROFILMING

PLEASE RETURN WILL TO
SCHENECTADY COUNTY
SURROGATE'S COURT
AFTER MICROFILMING

Likewise, I make, constitute and appoint Caroline Fairchild,
wife of Charles Fairchild & Leon D. Fairchild

to be executrix + Executor of this my last Will and
Testament, hereby revoking all former Wills by me made.

In Witness Whereof, I have hereunto subscribed my name and affixed my
seal, the Fifth day of December in the year one thousand eight
hundred and Ninety

Maria Plank



The above instrument, consisting of one sheet was at the date thereof subscribed by
Maria Plank in the presence of us and each of us: she at
the time of making such subscription, acknowledged that she made the same, and
declared the said instrument so subscribed by her to be her last Will and Testament.
Whereupon we then and there, at her request, and in her presence and the presence
of each other, subscribed our names as witnesses thereto.

Alex J. Thurman residing at Schenectady N. Y.

Frank B. Richtmyer residing at Schenectady N. Y.

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respectfully shows :

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on the 30th day of October, 1897, leaving an instrument
in writing, purporting to be a last will and testament, dated the 5th day
of December, 1890,

which is
signed by the testator, at the end thereof, and by Aly J. Thomson
and Frank B. Ridinger as subscribing witnesses.

II. That the decedent was, at, or immediately preceding the date of his death, a resident of the county of Schenectady, in which county he died on the aforesaid date.

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<u>Adam F. Plank</u>	<u>Son</u>	<u>Windsor, in State of Colorado</u>
<u>Leon D. Fairchild (petitioner)</u>	<u>Grandson & Legatee</u>	<u>Schenectady, N.Y.</u>
<u>Ada Fairchild</u>	<u>Granddaughter Legatee</u>	<u>" "</u>

The persons above named embrace the ~~heirs & legatees~~ ^{heirs & legatees} ~~wife~~ of said testator, all his heirs and next of kin, all persons in being, who would take an interest in any portion of his real or personal property, and the executor and trustee (if any) named or described in said will.