

## PROBATE OF JOSEPH BIRD

Foreasmuch as it is appointed for all man once to die and the time when very uncertain, I Joseph Bird of the Borough of Elizabeth in the county of Essex and the state of New Jersey, being at this time somewhat unwell in body, but of sound disposing mind and memory blessed be the name of the Lord for the same. Therefore, do this nineteenth day of the first month commonly called January in the year of our Lord one thousand seven hundred and eighty eight, make and publish these presents as and for my last will and testament in manner and form following -

IMPRIMIS I order in the first place that all my just debts and funeral expenses be fully paid by my executors herein after named out of my moveable estate and land herein after directed to be sold; ITEM I give and bequeath unto my beloved wife Ursula Bird all the household goods and effects whatsoever which belonged unto her my said wife Ursula at the time and immediately before our intermarriage, I also give and bequeath unto her my said wife Ursula the sum of one hundred pounds proclamation money of the state aforesaid, to be saved out of my real and personal estate and paid to her my said wife by my executors in one year after my decease, all which bequests given and bequeaths unto my said wife as above mentioned I intend shall be in lieu and a full recompense of all her right of dower and power of thirds in my whole estate real and personal and not otherwise.

ITEM I give and bequeath unto my son-in-law Samuel Force, Junior the sum of twenty pounds of like money aforesaid to be saved out of my real or personal estate and paid to him my said son-in-law Samuel Force in one year after my decease by my executors.

ITEM I give and bequeath unto my son Jeremiah Bird during his life the full use and possession of ten acres of land, being part of my homestead plantation, including the small dwelling house, garden and water spring where he now lives and resides to bind southwesterly part by land of Joseph Lee and part of land of William Mills, northwesterly part by the road or highway and part by land of Hambleton Robinson and part by land of John Craig and northeasterly and south easterly by the remainder of my said plantation, and after the decease or death of my said son Jeremiah I order and empower my executors or the survivor of them to sell and convey the aforesaid ten acres of land and premises and to make, see and execute good and sufficient deed or deeds conveyance or conveyances, proper for conveying a right in fee simple to the purchaser or purchasers thereof his, or their heirs and assigners forever and the money arising by such sale or sales I give and bequeath in the following manner that is to say, one fifth part thereof to my daughter Sarah the wife of said Samuel Force, Junior one other fifth part thereof to my grandson Joseph son of my son Joseph Bird deceased and the other three fifths thereof I give and bequeath to be equally divided among three of my grandchildren, the children of my said son Jeremiah Bird, namely Abigail, Charles and Samuel Bird share and share alike to be paid them my said grandchildren (If the said ten acres be sold before they all arrive to the age of twenty one years or before any of them arrive to that age then) as they severally attain to the age of twenty one years.

ITEM If Elizabeth the now wife of my said son Jeremiah, should happen to survive or out live him my said son, that then and in that case I give and bequeath unto my said daughter-in-law Elizabeth the full use and possession of the aforesaid ten acres of land and premises, during all the time she the said Elizabeth remains the widow of my said son Jeremiah, and after her decease or marriage which may first happen I order the same ten acres to be sold as aforesaid by my executors, and the money arising by such sale to be divided as above directed.

ITEM All the residue or remainder of my real estate, land tenements and haeditments whatsoever not herein before disposed of I order and empower my exucutors or them to sell and convey the same at such time or times as they my said executors or the survivor of them may think best, or otherwise to rent out the same until my said youngest grandson Joseph attains to the age of twenty one years at which time I order my executors or the survivor of them to sell the same if not sold and conveyed before and to make seal and execute good and sufficient deed or deeds conveyance or conveyances proper for conveying a right in fee simple to the purchaser or purchasers there of his and their heirs and assigners forever, and the money by such sale or sales, and the overplus of my moveable estate and rents of my real estate if any there should be I give and bequeath the same in the following manner, that is to say one fifth part thereof to my said daughter Sarah, the wife of Samuel Force, Junior and one other fifth part thereof to my said grandson Joseph Bird, and the other three fifths the residue thereof to be equally divided among my said three grandchildren, Abigail, Charles and Samuel, the children of my said son Jeremiah, share and share alike.

ITEM In condideration of the aforesaid legacies given and bequeathed unto the said Samuel Force, Junior and Sarah his wife I order and it is my will that my poor old, honest, and faithful Negro woman named Sarah, shall live with my said son-in-law Samuel Force, Junior and that my said son-in-law Samuel Force

and his heirs shall from time to time and at all times hereafter shall find provide and allow unto my said Negro woman Sarah, competent and sufficient meat, drink, washing and lodging and all other necessities fit and convenient for old age during her natural life, but if my said son-in-law Samuel Force Junior should neglect or refuse for the space of thirty days after my decease to take and receive the said Negro Woman into his house and family and provide for her as above directed during her natural life, that then and in the case I order my executors to provide a comfortable sufficient and maintainance for my said Negro woman during her natural life, and to apply the aforesaid legacies herein before bequeathed to my said son-in-law Samuel Force Junior and Sarah his wife, or so much thereof as shall be sufficient to support the said Negro woman comfortable as long as she lives, and the overplus if any remains of the same I give and bequeath such surplus so remaining to be equally divided among all the surviving children of said daughter Sarah Force and paid to them as they severally attain to the age of, the boys at twenty one and the girls at eighteen years.

ITEM If either of my four grandchildren herein be particularly named shall happen to die under the age of twenty one or without lawful issue I give and bequeath his heir or their legacies so dying to the other survivors or survivor of them as may be living at the time of such division so to be made in equal parts.

ITEM I do ordain constitute and appoint my trustly friends Amos Morss of Elizabeth Town Rahway executors of this my last will and testament. In witness whereof I have here unto set my hand and seal the day and year first herein above written.

(signed)  
JOSEPH BIRD

Signed, sealed, published and declared  
by the within named Joseph Bird to be  
his last will and testament in the  
presence of us subscribers

Recorded in Lib.  
33 of Wills  
page 495

(signed)  
William Fletcher  
Joseph Hatfield  
David Jones

William Fletcher and David Jones two of the witnesses with being duly sworn on the holy evangalist of almighty God did declare and say that they saw Joseph Bird sign and seal and heard him publish and declare the within writing to be his last will and testament and that at the doing thereof the said Joseph was of sound and disposing mind and memory so far as they know and verily believe and that Joseph did sign the at the time and signed his name together with themselves in the presence of the testator.

(signed)  
William Fletcher  
David Jones

16 December 1788  
before me William Livingston  
Junior Surrogate