

the county judge & acting surrogate took the proof of said will hereinafter set forth, upon this twentieth day of June A.D. 1850 and he adjudged the said will to be a valid will of real and personal estate and the proofs thereof to be sufficient, which said last will & testament and proofs are as follows: to wit,

In the name of God, Amen. I Henry Baldwin Junior of the town of Scriba in the county of Otsego and State of New York of the age of thirty five years, and being of sound mind and memory, though feeble in body, do make or give & publish my last will and testament, in manner following that is to say:

First. I give and bequeath to my wife Mary Ann Baldwin one equal third part of all my personal property, and the use of one third part of my real estate during the term of her natural life, to be accepted and received by her in kind or money.

Second. All the rest of my personal estate, and all my real estate, subject both life interests in one third thereof heretofore devised to my wife Mary Ann I hereby give devise and bequeath unto my father Henry Baldwin and my brother William Baldwin in trust, to be held by them until my two youngest children shall become of age, or shall die, when it is my wish that all of my property be equally divided by my said trustees among my children, which shall then be living and that the children of any one or more of my children who shall then have died shall together be entitled to the share or interests in my property to which my child or children so deceased would have been entitled had he or they survived.

My will and desire further is, that my said trustees Henry Baldwin and William Baldwin shall act as the guardians of my infant children until they shall severally attain the age of twenty one years, and in case either the said Henry or William should die before the youngest of my three children shall reach the age of twenty one years, my desire then is that the survivor of them should act solely as such guardian and also as the trustee of my said estate, with all the powers which with would and might have been lawfully exercised by me if I were still living.

It is further my desire that neither the father nor the mother or either of them shall have any

interference with my children or my estate, and should they or either of them at any time so do, it is then my desire and will, that the guardians of my said children should at once remove them to some other proper and suitable place where they will be properly reared & educated. It is also my will that the said guardians of my said children should remove them from the custody of their mother, in case she should marry a man whom they shall not regard as a proper & suitable person to have the charge and rearing of my said children, or in case it should at any time so for any cause in the judgment of the said guardians of my said children be improper and injudicious for them to remain in the custody of their mother. I have made the foregoing request respecting the relations of my wife not from any prejudice or feeling of unkindness towards them but solely because with their present habits I do not regard them as safe & proper guardians of my children.

Third. I hereby constitute and appoint the said Henry Baldwin & William Baldwin the Executors of this my last will and testament, hereby revoking all former wills by me made.

Fourth. It is further my will, that the assets and proceeds of my real estate and of such portions of my personal property as shall be sold and which shall not be enough to pay my debts and funeral charges, and which have heretofore been given and devised to my said trustees shall be applied and used in the support, maintenance & education of my children until they shall severally attain the age of twenty one years.

In witness whereof I have hereunto set my hand & seal this twentieth day of November 1849.

Henry Baldwin Jr. S.S.

The above instrument written on one sheet, was at the date thereof signed, sealed, published and declared by the said Henry Baldwin as & for his last will and testament, in presence of us, who at his request, & in his presence the signatures of each other have subscribed our names as witnesses thereto.

E. B. Luceatt residing at Otsego Otsego County
Charlotte Baldwin residing at Otsego Otsego County