

Count in the premises - and whereas upon presenting the said petition the said administrator did file in the said Surrogate office an account of the personal estate & debts of the said deceased which he alleged under oath to be just and true and whereby it appears that the facts set forth in the said petition were true, and an order was thereupon made that all persons interested in the estate of the said deceased appear before the Surrogate aforesaid at his office aforesaid on Tuesday the twenty fourth day of December then next at ten o'clock in the forenoon of that day to show cause why the whole of the real estate wherof the said Thomas Wheeler deceased did seized or so much thereof as might be unnecessary to pay his debts should not be sold. And whereas the said order was immediately after publishing for four weeks successively in two of the public newspapers printed in the County of Albany aforesaid, and no cause or objection shown at the time & place specified in the said order or at any time since why the whole of the real estate or a part thereof should not be sold. - And whereas upon hearing and due examination of the allegations and proofs of the said administrator it is found that the personal estate of the said deceased is insufficient to pay his debts, and that the whole of the personal estate has been applied towards the payment of the said debts, and that it is requisite and necessary to sell the whole of his real estate for the payment of his debts. It is therefore ordered, adjudged and decreed and the surrogate by virtue of the power vested in him doth order, adjudge decree and direct that Rowell Sherman, administrator aforesaid do sell at public auction the whole of the real estate wherof the said Thomas Wheeler did seized hereinafter mentioned and set forth as the same has been represented and described unto the said Surrogate (after giving legal notice thereof and conforming in other respects to the requirements of the statute in such case made, and provided) which said real estate is described as the South half of lot number eighty six in the Thirtieth township of Saratoga Patent, said south half containing but sixty one acres of land more or less, together with the appurtenances

subject to the right of dower of the widow of the said deceased if any she may have in the premises - And it is further ordered that before any deed or deeds are executed for the said premises or any part thereof the said administrator shall make a return of the proceedings had on this order to the Surrogate of the County of Albany at the Surrogates office in the Town of Richland in said County then & there to receive the further order of the said surrogate in the premises. The testimony wherof the said Surrogate hath hereunto set his hand and affixed his Seal of office - Done at Richland aforesaid this fifth day of March in the Year of our Lord one thousand eight hundred and twenty nine. Joseph W. Kelso, Surrogate

J. J.

At a Surrogate Court held for the County of Albany at the Surrogate Office in the Town of Richland in said County the thirtieth day of March 1829. Present J. W. Kelso, Surrogate  
 In the matter of the real estate of Gardner Ellsworth deceased & Thomas a petition has heretofore to wit on the seventh day of February last past been presented to this court by William Ellsworth administrator of the estate of Gardner Ellsworth deceased, setting forth that the said deceased was at the time of his death seized of certain real estate in this state - that the petitioner had made a just and true account of the personal estate and debts of the said deceased as far as he had been able to discover the same, and that the personal estate of the said deceased was wholly insufficient to pay his debts, and thereupon requesting the aid of this court in the premises - And whereas upon presenting the said petition the said administrator did file in the said surrogate office an account of the personal estate and debts of the said deceased which he alleged under oath to be just and true, and whereby it appears that the facts set forth in the said petition were true, and an order was thereupon made that all persons interested in the estate of