

In the name of God Amen!

I, James Simmons of the town of Beekman in the County of Dutchess and the State of New York yoeman [*I think*]; being in good health and of sound mind and memory blessed be God for the same and taking to mind the uncertainty of time, do make and ordain this my Last Will and Testament and constitute and appoint James Skidmore, Daniel Crouse [*this is spelled Krous in the 1790 Dutchess Co. census*] and Adam Crouse my lawful Executors and now I commend my soul into the hands of God who gave it, and my body to the mother earth to be buried in decent form at the discretion of my executors, and as to my worldly estate it is my Will that my Executors apply the same in the following manner that is as soon after my decease as may be convenient that they take a true inventory of all my estate and apply the same in the following manner hereafter mentioned. In the first place I order that all my just debts and funeral charges be paid and I further ordain that all the remainder of my estate be put to interest for the sole use and benefit of my grandchildren namely the sons and daughters of my son Smitton Simmons, and the sons and daughters of my son James Simmons and to be paid to them individually as they come of age in the following manner, that each grandson have two proportions or shares and each granddaughter have one proportion or share according to the proportion of my estate then on hand and I further ordain that my Executors or surviving Executor see the same carried punctually with effect as this is my Last Will and Testament. And I do hereby disallow and disannul all other Wills, legacies and bequest by me heretofore made and ratifying this and none other to be my Last Will and Testament.

In Witness whereof I have set my hand and seal this third day of June in the Year of our Lord one thousand Eight hundred fifteen and the thirty ninth of American Independence ??? the fourth of July —

Signed, sealed, published and declared by James Simmons to be his Last Will and Testament in the presence of Nathaniel G. Brownell, Jacob Able, Benajah Baker  
State of New York Surrogate Court

In the matter of proving the Last Will and Testament of James Simmons, decd., Dutchess County, As Jacob Able of the Town of Union Vale in the County of Dutchess being duly sworn and examined doth depone and say that this deponent was well acquainted with James Simmons late of Union Vale (formerly Beekman) in the County of Dutchess dec. that this deponent was present as a witness I did see the said James Simmons subscribe at the end thereof the instrument now produced and shewn to this deponent porporting to be the Last Will and Testament of the said dec bearing date the third day of June in the Year of our Lord one thousand Eight hundred fifteen, that the said testator at the same time declared the instrument and ??? by him to be his Last Will and Testament that thereupon the deponent and Nathaniel G. Brownell severally subscribed their names at the end thereof as witnesses thereof at the request of the testator in his presence, and that the said testator at the same time executing and publishing the said Last Will and Testament was of full age and sound mind and memory and not under any restraint.

Sworn this 21 day of February 1831 before me James Hooker, Surrogate  
Dutchess Surrogate Court  
Jacob Able

In the matter of proving the Last Will and Testament of James Simmons, decd., Dutchess County,

As Philander Sleight being duly sworn says that he knew James Simmons late of Union Vale formerly Beekman dec. that shortly after his death this deponent with other persons were looking over and examining the papers of the said dec. when the paper was presented to this court for probate as the last will of the said dec was found among this said papers. That this deponent took charge of said will and that this same remained in his custody and care until delivered to one of the Executors therein named to be presented to this court for probate.

Sworn this 21<sup>st</sup> day of Feb.

1831 before me James Hooker, Surrogate

Dutchess County Surrogates Office

Philander Sleight

Recorded the proceeding Last Will and Testament of James Simmons do together with the proofs and examinations taken thereon as the Last Will and Testament of the personal Estate of the said dec. which Record is hereby signed and certified by me in pursuance of the Statute in such case provided this 21<sup>st</sup> day of February one thousand Eight hundred and thirty one.

Dutchess County Surrogates Office

James Hooker, Surrogate

James Hooker Surrogate of said county do certify that on this 21<sup>st</sup> say of Feb in the year of our Lord one thousand Eight hundred and thirty one the within Last Will and Testament of James Simmons late of the town of Union Vale Dutchess County dec.has be admitted to probate by me and duly proven acceding to the provisions of the Statutes in such case made and provided as the Last Will and Testament of the personal estate of the said dec. which said Last Will and Testament and the proofs and examinations taken thereon are recorded at this office.

In testimony whereof I the said Surrogate have hereinto set my hand and affixed my Official Seal this 21<sup>st</sup> day of February in the year of our Lord one thousand Eight hundred and thirty one.

James Hooker, Surrogate