

Probate Papers of Samuel Elmer (son of Samuel and Elizabeth)

Source: Franklin County Probate Files, Ca. 1812-1915 (Franklin County, Massachusetts); Author: Massachusetts. Probate Court (Franklin County); Probate Place: Franklin, Massachusetts. Notes: Probate Files, 1499-1524. Ancestry.com. Massachusetts, Wills and Probate Records, 1635-1991 [database on-line]. Provo, UT, USA: Ancestry.com Operations, Inc., 2015. Original data: Massachusetts County, District and Probate Courts.

1504.

SAMUEL ELMER.

15
Samuel Elmer

Mid. declines

June 3: 1824

To the Honourable Richard E Newcomb Judge of Probate
for the county of Franklin I the subscriber widow to the late
Samuel Colner of Ashfield in said county deceased humbly request
your honour to appoint Ansel Colner of said Ashfield to administer
on the estate of said Samuel deceased in my room as I view
myself not capable of settling said estate and you will greatly
oblidge your petitioner

Chloe Colner

Ashfield Nov 2^d 1829.

1504

2

Samuel Elmer

Adm

Nov. 3. 1829

Recorded.

Commonwealth of Massachusetts.

FRANKLIN, ss.

At a Court of Probate holden at *Greenfield* within and for the County of Franklin aforesaid, on the *third* day of *November* A. D. 18 *29*

IT now being made to appear to me, the Judge of the said Court, that *Samuel Elmer* of *Ashfield* in said County, lately died, intestate, being, at the time of his death, an inhabitant of, or resident in the same County.

I DO THEREUPON, *Chloe Elmer of said Ashfield, his widow,*
on the petition of Chloe Elmer of said Ashfield, his widow,

decree that administration on the estate of the said deceased, be and the same is, hereby, granted unto *Ansel Elmer of said Ashfield*, he giving bond, in the sum of *four thousand* dollars, with good and sufficient sureties, according to the form of the statute, in such case made and provided, for the faithful discharge of the said trust. And such bond having been given, to my acceptance, I do grant letters of administration on said estate to the said *Ansel* accordingly. And I do order and direct him the said *Ansel* to give public notice of his appointment to, and acceptance of the said trust, by posting notifications thereof in some public places in said *Ashfield* and by causing the same to be published, three weeks successively, within three months, in a *public newspaper* printed within the County aforesaid, and make return thereof, upon oath, according to law.

L. E. Newcomb

J. Probate.

15

3

Samuel Elmer

Adm. Bond

Nov. 3. 1824

Know all men by these presents, That we

Ansel Elmer and Cyrus Alden both of Ashfield and Japhet Chapin of Buckland (Yeomen)

in the County of Franklin, within the Commonwealth of Massachusetts, are holden and stand firmly bound and obliged unto the Honorable RICHARD E. NEWCOMB, Esq. Judge of Probate of Wills and for granting Administration, within the County of Franklin, in the full and just sum of *four thousand* dollars, to be paid to the said RICHARD E. NEWCOMB, and his successors in said office: To the true payment whereof, we do bind ourselves, and each of us, our, and each of our heirs, executors, and administrators, jointly and severally, by these presents.

Scaled with our seals. Dated the *third* day of *november* in the year of our Lord one thousand eight hundred and twenty *nine*.

The condition of this obligation is such, That if the above bounden

Ansel Elmer Administrator of all and singular the goods and estate of *Samuel Elmer* late of *Ashfield* in the said County of Franklin, deceased, do make, or cause to be made, a true and perfect inventory of all and singular the real estate, goods and chattels, rights and credits of said deceased, which have or shall come to the hands, possession, or knowledge of *him* the said *Ansel*

or into the hands or possession of any other person or persons for *him* and the same so made, do exhibit, or cause to be exhibited, into the Registry of the Court of Probate of the said County of Franklin, at or before the *third* day of *February* next ensuing; and the same goods and chattels, rights and credits, and all other the goods and chattels, rights and credits, of the said deceased, at the time of *his* death, which at any time after, shall come to the hands and possession of the said *Ansel*

or into the hands and possession of any other person or persons for the said *Ansel* do well and truly administer according to law: And further do make or cause to be made, a just and true account of *his* said administration upon oath, on or before the *third* day of *november* which will be in the year of our Lord one thousand eight hundred and *twenty* and all the rest, residue and remainder of the said goods and chattels, rights and credits, which shall be found remaining upon the said administration account (the same being first examined and allowed by the Judge for the time being of Probate of Wills and for granting Administrations within the County of Franklin aforesaid) shall deliver and pay unto such person or persons respectively, as the Judge by his decree or sentence pursuant to law shall limit and appoint; And if it shall hereafter appear, that any last Will and Testament was made by said deceased, and the executor or executors therein named, do exhibit the same into the Court of Probate of the said County of Franklin, making request to have it allowed and approved accordingly; if the said *Ansel* above bounden, being thereunto required, do render and deliver the said letter of administration (approbation of such testament being first had and made) into the said Court: Then the before written obligation shall be void and of none effect, or else shall abide and remain in full force and virtue.

Scaled and delivered }
in presence of us, }

Amos Jennie
Luther Chapin
Hannah Phillips

Ansel Elmer
Cyrus Alden
Japhet Chapin

FRANKLIN, ss.

A. D. 1822

I have examined and do approve of the foregoing bond and order the same to be filed in the Probate office.

Judge of Probate.

7
4
Samuel Elmer
Inw.
Jan. 5. 1830

Recorded

To the Hon. Richard E. Newcomb, Judge of Probate for the County of Franklin the following is an Inventory of all the estate presented to us by Ansel Elmer that belongs to Samuel Elmer late of said County deceased and the Subscribers after being sworn to appraise said estate agreeable to a warrant presented to us have this day completed the Inventory as

Thirteen one hundred and fifty four acres with the buildings	2023.00
One horse at \$30.00 One colt at 12.50	67.50
One yearling of Oxen 42.00 One brown cow at 10.00	52.00
One line back cow 13.00 One speckled cow 12.00	25.00
One red cow 12.50 One three year old heifer 14.00	26.50
One red heifer 12.50 One two year old heifer 8.50	21.00
One red 5/8 year One red steer 6.50 One yearling heifer 3.75	18.00
One yearling brown steer 3.00 One yearling bull 3.50	6.50
Two bull calves 5.00 Three calves 5.00 Two fat hogs 15.00	25.00
Seven sheep 5.00	5.00
Seventeen tons of hay 106.25	106.25
Twenty four bushels of Indian corn 13.60 Twenty bushels of potatoes 4.00	17.60
Thirty five barrels of cider 23.35 One copper still and stove 15.00	38.35
One cart 9.00 One without carriage 2.50 Two gristmills 0.75	11.25
Two oxen 1.25 One iron bar 2.25 Two axes 2.33	6.33
One plough 1.50 Two bush forks 0.20 Five less 0.25	2.25
One ox yoke 0.75 One pitchfork 0.20 One shovel 0.50	1.45
One half of a grain fan 0.33 One half bush measure 0.12	0.45
One peck measure 0.17 Two butterings 0.25 One hand saw 0.25	0.67
Sixteen lbs of old chains 1.60 One hundred and forty seven lbs of old iron 3.10	4.70
Four old raggan wheels 1.50 One crank with 0.20 One nail hammer 0.17	1.97
One gun 3.50 Seven draughts 1.25 One horse harness 2.00	6.75
One man saddle 3.25 One woman saddle 1.50 One string of plow 1.25	11.25
One five quarts sugar 0.30 One lamb 1.75 Two rods 0.75	2.80
One flat iron 0.25 One cheese press 1.00 One large broom 1.75	6.00
One copper kettle 0.50 One tin pail 0.20 One table 0.25	1.65
Thirteen lbs of tallow 1.33 One Sapl 0.17 One pair of tongs 0.50	2.00
One pair of broom fire dogs 1.75 One pair of shears 0.30	2.05
One rocking chair 0.30 One kitchen chair 1.25 Two dining chairs 2.50	4.05
One candle stand 1.75 One bed table 0.50 One old chest 0.25	2.50
One draw and chest 0.75 One table 0.25 One large table 2.00	3.00
High case with draw 4.00 One looking glass 1.00	5.00
One large spinning wheel and head 1.33 One churn 0.75	2.08
Two water pails 0.35 One tin pail 0.23 One pot 0.60	1.23
Seven earthen milk pans 0.58 One hole box 0.20 Two tea kettles 0.90	1.70
undry articles of tin ware 0.42 Two stone jugs 0.33 One candlestick 0.10	0.85
	2521.33
	45

The value of the above is \$2521.33
 Under the terms of the warrant 30
 one item 2521.78

undry articles of crockery ware 1.43 One pretty teapot 0.60	2.03
One pretty platter 0.25 One case of knives and forks 0.25	0.50
Seven tablespoons 0.14 Three candlesticks 0.50 One iron fire pail 1.50	2.14
One old fire pail 1.25 Two spiders 0.50 One iron basin 0.92	2.17
One small dish kettle 0.23 One pot 0.50 One dish kettle 0.50	1.48
Two hogheads 1.50 Four yeast barrels 0.75 Two meat barrels 1.00	3.25
One fish barrel 0.17 One shovel and trowel 1.00 One basin and bowl 1.25	2.42
One lid and bedding bedstead and cord 17.00 One bed and bedding bedstead and cord 6.00	23.00
One bed and bedding bedstead and cord 10.00 One bed and bedding bedstead and cord 19.00	19.00
One bed and bedding bedstead and cord 6.00 Three cotton sheets 0.75	6.75
One table cloth 0.75 One table cloth 0.50 One towel 0.17	1.42
One tablecloth 0.12 Five yards of full cloth 3.75 One bill 0.50	4.37
One bed and bedding bedstead 0.33 One pillow case 0.33	0.66
One quilt coat 3.50 One quilt coat 1.50	5.00
Four meal bags 0.23	0.93
Cash 60.95 One note principal and interest 26.25	87.20
One note principal and interest 2.66	2.66
One note principal and interest which is due 6.03	6.03
One note principal and interest 43.57	43.57
One note principal and interest 11.87 due 11.87	11.87
One note 12.35 One note principal and interest 40.21	52.56
One note principal and interest 2.59	2.59
Total of the footing on the other side	2521.33
Total of this Inventory	2521.33

Subscribed December November 24th 1820

FRANKLIN, ss. At a Court of Probate, holden at Conway in and for said County, on the fifth day of January A. D. 1830

THE foregoing inventory being duly returned here by Ansel Elmer, admr of the estate of Samuel Elmer deceased; the said of the above named Samuel Elmer deceased; that it is a true and perfect inventory of all Ansel Elmer deceased; which has come to his hands, possession or knowledge; and that if any further estate of said deceased shall hereafter come to his possession or knowledge, he will render a just and true account thereof, in to the Probate office, to be of record herewith. I DO THEREFORE DECREE, that the same be, and it is hereby accepted; and I ORDER it to be recorded.

R. L. Newcomb Judge of Probate.

In the Hon Richard S. Rowcomb Judge of Probate for the county of Franklin the following is an Inventory of all the estate presented to us by Ansel Elms that belonged to Samuel Elms late of Ashfield deceased we the Subscribers after being sworn to appraise said estate agreeable to a warrant presented to us have this day completed the Inventory as

Thundred one hundred and fifty four acres with the buildings
 One horse at \$50.00 One colt at 12.50
 One yearling of Oxen 45.00 One brown cow at 10.00
 One line back cow 13.00 One speckled cow 12.00
 One red cow 12.50 One three year old heifer 14.00
 One red heifer 12.50 One two year old heifer 8.50
 One stag 5.75 One red steer 6.50 One yearling heifer 5.75
 One year old brown steer 5.00 One yearling bull 3.50
 Two bull calves 5.00 Three calves 5.00 Two fat hogs 15.50
 Seven sheep 5.00
 Twelve tons of hay 106.25
 Twenty four bushels of Indian corn 12.60 Twenty bushels of potatoes 40.00
 Thirty five barrels of cider 23.35 One copper still and a rosin 15.00
 One cart 9.00 One two wheel carriage 2.50 Two griststones 0.75
 Two sashes 1.25 One iron bar 2.25 Two axes 2.33
 One plough 1.20 Two trenchforks 0.25 Three hoes 0.25
 One iron yoke 0.75 One pitchfork 0.25 One shovel 0.25
 One half of a grain fan 0.33 One half bushel measure 0.12
 One peck measure 0.07 Two leadings 0.25 One hand saw 0.25
 Sixteen lbs of old chains 1.60 One hundred and forty seven long shins 3.10
 One gun 3.50 Seven daggers 1.25 One iron sash 0.30 One nail hammer 0.14
 One mans saddle 1.50 One womans saddle 1.50 One horse harness 2.00
 One fine quality rug 0.20 One comb 1.75 Two rads 0.75 One string of sheep shears 1.25
 One flat iron 0.25 One cheese press 1.00 One large hoop kettle 4.75
 One copper kettle 0.50 One two part kettle 0.50 One large kettle 4.75
 A dozen lb of tallow 1.33 One Soap 0.17 One pair of tongs 0.50
 One pair of loaf tongs 1.75 One pair steel yard 0.50
 One working chair 0.50 One kitchen chair 1.25 One dining chair 0.50
 One candlestand 1.75 One bed table 0.50 One old chest 0.55
 One dress and chest 0.75 One table 0.25 One large table 2.00
 High case with drawers 4.00 One looking glass 1.00
 One large spinning wheel and head 1.33 One churn 0.75
 Two water pails 0.35 One tin pail 0.33 One foot stool 0.1
 Seven earthen milk pans 0.50 One lard box 0.20 Two
 sundry articles of tin ware 0.42 Two stone jugs 0.33

The value of the above is \$221.85
 and the value in common is \$221.85

Sundry articles of crockery ware 1.43 One pretty teapot 0.60
 One pretty platter 0.25 One case of knives and forks 0.25
 Two table spoons 0.44 Three candlesticks 0.50 One iron fire pot 1.50
 One old fire pail 1.25 Two spiders 0.50 One iron basin 0.42
 One small dish kettle 0.50 One pot 0.50 One dish kettle 0.40
 Two hogheads 1.50 Two cyder barrels 0.75 Two meat barrels 1.00
 One fish barrel 0.17 Five shawl and tery 1.00 One iron and look 1.25
 One bed and bedding bedstead and cord 17.00 One bed and bedding bedstead 6.00
 One bed and bedding bedstead and cord 10.00 One bed and bedding bedstead and cord 19.00
 One bed and bedding bedstead and cord 6.00 Three cotton sheets 0.75
 One table cloth 0.75 One table cloth 0.50 One towel 0.17
 One tablecloth 0.12 Five yards of field cloth 3.75 One bill 0.50
 One book natural philosophy 0.25 Two pillow cases 0.33
 One great coat 3.50 One great coat 1.50
 Two meal bags 0.33
 Cash 60.95 One note principal and interest 26.25
 One note principal and interest 2.66
 One note principal and interest which is dubious 6.03
 One note principal and interest 43.57
 One note principal and interest 11.97 dubious
 One note 12.35 One note principal and interest 40.21
 One note principal and interest 2.59
 Total of the footing on the other side 221.50
 Total of this Inventory 221.85

Ashfield Massachusetts December 27th 1829

Joseph Chapin
 Dimec C. Ellis
 Zephaniah Richmond

7
Samuel Elmer 5

Affidavit

Jan. 5. 1836

Recorded

I, Samuel Elmer, do hereby certify that the within and foregoing is a true and correct copy of the original as the same appears to me from the original filed in my office on the 5th day of January 1836.

Witness my hand and seal of office at New York, this 5th day of January 1836.

Samuel Elmer
Notary Public for the State of New York

Filed for record in the office of the Register of the County of New York, this 5th day of January 1836.

This document is a true and correct copy of the original as the same appears to me from the original filed in my office on the 5th day of January 1836.

N. B. This paper must be returned to the Probate Office within seven months.

NOTICE is hereby given that the Subscriber has been duly appointed administrator on the estate of Samuel Elmer

late of Ashfield, in the County of Franklin, deceased, and has taken upon himself that trust by giving bond as the law directs. And all persons having demands upon the estate of the said deceased, are required to exhibit the same; and all persons indebted to the said estate are called upon to make payment to

Nov. 3. 1824

Ansel Elmer

THE Subscriber on oath testifies and declares that agreeably to the order of the Hon. R. E. NEWCOMB, Esq. Judge of Probate for the County of Franklin, dated the third day of November last he did, within three months from the said date, post up a notification, whereof the foregoing is a copy, in each of the following public places in Ashfield in said County, viz. the north Baptist Meeting House, Dana's Store & William's Tavern and did also cause the same to be published in the Newspaper mentioned in said order.

Ansel Elmer

FRANKLIN, ss.

AT a Court of Probate held at Conway in and for said County of Franklin, on the fifth day of January A. D. 1830

Personally appeared Ansel Elmer
aforenamed, and made solemn oath to the truth of the foregoing affidavit, by them
subscribed, before me, R. E. Newcomb Judge of Probate.

24

Samuel Elmer.

Acct

July 9. 1830

Recorded

The account of Ansel Elmer as he is Administrator on the goods
 Estate of Samuel Elmer late of Ashfield in the County of
 Franklin, deceased -

The said Administrator charges himself with the amount
 of personal property, as per inventory. --- 2803.38

And prays allowance for the following charges
 payments & expenditures, viz -

To paid debt due from the estate to Nchemiah Hathaway	.60
" " " " " Nathan Drury Esq	.52
" " " " " John Williams	7.13
" " " " " Elias Smith	.83
" " " " " Oliver May	5.73
" " " " " Adolphus Elmer	2.42
" " " " " Benjamin Andrews	.70
" " " " " Ansel Taylor for taxes	12.11
" " " " " Nathan Elmer	35.90
To paid for recording deed of estate	.50
Paid A Phelps debt for newspaper	.50
Dec: 1829 Paid appraisers, Japhet Chapin, L. Richmond, & D Ellis	4.50
" Paid for swearing appraisers	.20
" One days ^{salary} attendance upon appraisal of estate	2.25
Nov 3 ^d Attendance Probate Court 1 day .150. ^(to take letters of administration) Expenses 36	1.86
Jan Attendance Probate Court at Conway 1 day 150 (returned inventory)	1.50
This days attendance expenses	1.86
Paid for making out this account	.50

Greenfield Feb 9th 1830 -

Ansel Elmer

\$79.61

COMMONWEALTH OF MASSACHUSETTS.

FRANKLIN, ss. At a Court of Probate holden at *Greenfield* in and for
said County, on the *ninth* day of *February* A. D. 18 *30*

The foregoing account of Administration on the estate of the above named
Samuel Elmer deceased, being presented by *Ansel Elmer*
administrator on said estate

and due notice to all persons interested having been given;

the said *Ansel* —, after exhibiting the vouchers and evidence touch-
ing the said account, makes oath that the same is just and true. Whereupon, the prem-
ises being by me seen and fully understood, and it appearing to me that the said account
is just and true, I do decree that the same be and it is hereby allowed, and I order it
to be recorded.

R. E. Newcomb J. Prob.

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7
Samuel Elmer
Guard
May 18. 1830
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Franklin Jr. May 15th 1830
So the honorable Justice & Wisconsin County Judge of
probate within and for said county
do hereby certify that the within named Wilson Elmer
Elmer Elmer and consider Elmer subservient to the
forgoing instrument being more than ten miles
within from your tenors dwelling house personally
appeared and made show of the said Elmer Elmer that
he has to be their guardian as in and by the same
instrument appears
before me Joseph Chapman Justice of the Peace

Franklin Jr. May 15th 1830

To the Honourable Richard S. Newcomb Esquire Judge of
Probate within and for said county

This is to certify that the within named Wilson Elmer
Watson Elmer, and Consider Elmer subscribers to the
foregoing instrument living more than ten miles
distance from your honour's dwelling house personally
appeared and made choice of the said Chloe Elmer their
mother to be their guardian as in and by the same
instrument appears

before me Joseph Chapin Justice of the Peace

May 18. 1830

Given

Sumner Elmer

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h

Know all men by these presents that we Wilson Elmer
Watson Elmer and Consider Elmer all of Ashfield in the county
of Franklin and Commonwealth of Massachusetts minors above
the age of fourteen years and sons of the late Samuel Elmer of
Ashfield deceased have chosen ordained and constituted and do
by these presents choose ordain and constitute our Mother
Elloe Elmer widow of said Samuel Elmer with full power
and authority for us and in our name and for our use
to ask demand and sue for recover receive and take into
possession and custody all and singular such part and portion
of the estate of us the said Wilson Watson and Consider as
has accrued or may hereafter accrue to us as heirs to the estate
of our said father or which may otherwise appertain or
belong to us and to manage employ ~~use~~ and use the
same for our best advantage and profit during our
minority and to do all other lawful acts and things whatso-
ever concerning the premises as fully and effectually
in every respect as we each of us separately might or
could do personally if we each of us were of full age
In witness whereof we each of us set our hands and seals
the fifteenth day of May in the year of our Lord one thou-
sand eight hundred and thirty

Signed Sealed and delivered
in presents of
Saphet Chapin

Hannah Clark

Wilson Elmer
Watson Elmer
Consider Elmer

May 12 1830

Witness

Saphet Chapin

³
Samuel Edmer

1504

Guard

May 18. 1830

Recd

Commonwealth of Massachusetts.

FRANKLIN SS. At a Court of Probate holden at *Charltonmont* in and for
said county, on the *eighteenth* day of *May* A. D. 1830

IT now being made to appear to me the Judge of said court, that there is occasion for
the appointment of a guardian or guardians for *Wilson Elmer, Watson Elmer*
and *Conside Elmer*, minors above the age of fourteen
years, children of *Samuel Elmer* late of *Ashfield* in said
county deceased, and it appearing by the certificate in
~~minor.~~ ^{the age of fourteen years} writing of *Saphet Chapin* esq. a Justice of the Peace for the
said county that the said minors, living more than ten
miles from my dwelling house, on the *fifteenth* day of *May*
instant appeared before him the said justice and severally
~~children of~~ ^{late of} made choice of *Chloe Elmer* of said *Ashfield*
~~in said county deceased,~~ widow, as their guardian

I DO THEREFORE DECREE, that *the said Chloe Elmer*
be and hereby she is ~~allowed~~ appointed
guardian of the said minors, she giving bond with sufficient sureties in the sum of
two thousand dollars for the faithful discharge of said trust
according to law.

J. E. Purvitt Judge of Probate.

3

8

Samuel Elmer

Guard. Bond

May 18. 1830

Know all men by these presents, That we
*Chloe Elmer of Ashfield as principal and Japhet
Chapin of Buckland and Ansel Elmer of Ashfield*
as sureties all in the county of Franklin

and all within the Commonwealth of Massachusetts, are holden and stand firmly bound
and obliged unto *Richard E Newcomb* Esq. Judge of the Court of
Probate in and for the County of Franklin in the full and just sum of *two thousand*
— dollars to be paid to the said *Richard E Newcomb*
Judge as aforesaid, his successor or assigns; to the true payment whereof we jointly
and severally bind ourselves and our several and respective heirs, executors and ad-
ministrators, firmly by these presents. Sealed with our seals. Dated the *eighteenth*
day of *May* in the year of our Lord one thousand
eight hundred and *thirty*

The condition of this obligation is such,
That if the above bound *Chloe* being
duly appointed guardian of *Wilson Elmer, Watson Elmer*
and *Conside Elmer* minors above the age
of fourteen years children of *Samuel Elmer*
late of *Ashfield* aforesaid deceased

shall within *twelve* months from the date of these presents, return upon oath
into the Probate Office in said County of Franklin, a true and perfect inventory of the
real estate, goods and chattels, rights and credits belonging to the said minors; if any
they have, and shall, within one year from the date hereof, render upon oath into
the said Probate Office a just and true account of *her* said guardianship, and shall
annually render to the Judge of said Court, a just and true account upon oath of the an-
nual income and profits, if any, of the estate, real or personal, of *each of* said
minors during the continuance of his said office of guardian, and at the expiration there-
of shall adjust and settle his accounts with the Judge of said Court, and pay and deliver
over all balances and sums of money or other property that may be found due upon *her*
accounts, examined and allowed by the Judge of said Court, for the time being, unto the
said minors, *respectively*, if then of full age, otherwise to such other person or per-
sons as may be lawfully entitled thereunto; or as the Judge of said Court for the time
being, by his sentence or decree pursuant to law, may order and direct; and moreover,
if the said guardian shall from time to time faithfully preserve, manage and improve
the real estate, goods and chattels, rights and credits of said minors, for the best in-
terest and advantage of said minors and in all things relating to his said office, faithfully
perform and execute the duty and trust of guardian as the law requires, then this present
obligation to be void, otherwise to be and remain in full force.

Signed, sealed, and delivered }
in presence of
E. Alvord

Chloe Elmer
Japhet Chapin
Ansel Elmer

FRANKLIN ss. *May 18th* A. D. 18 *30* Having examined the foregoing bond, I do ap-
prove the same and order it to be filed.

R. E. Newcomb Judge of Probate.

x

9

x

Samuel Elmer

Notice on

Pat. for down

Do for allowance

Do for division

FRANKLIN, SS. At a Court of Probate holden at *Charlemont* within
and for the County of Franklin, on the *eighteenth* day of *May*
A. D. 1830

UPON the petition of *Chloe Elmer*, widow of *Samuel Elmer*, late
of *Ashfield* in said County deceased, praying this court to cause her dower in
the real estate of her said late husband, to be assigned to her; and upon her
other petition praying this court to allow her such part of the personal
estate of the said deceased as shall be judged fit and reasonable; also upon
the petition of *Ansel Elmer*, one of the heirs at law of said deceased, praying
that a division or settlement of said real estate among said heirs may be
made according to law.

ORDERED, That the *third* Tuesday of *July* next, at ten
of the clock in the forenoon, be assigned for the consideration ~~thereof~~ *the said matters aforesaid* at a Court of
Probate then to be holden at the *—* house of *Jabez Newhall*
Junr. in *Conway* in and for said County: And it is
further ordered, that the said *Chloe & Ansel* cause an attested
copy of this order to be published in the *Greenfield Gazette & Franklin Herald* public newspaper printed in *Greenfield*,
in said County, three weeks successively, the last publication to be *twenty*
days at least before the holding of said Court,

that all persons interested may have
notice thereof, and then and there appear if they see fit, and be heard for or against
said *several petitions, or either of them.*

R. E. Newcomb Judge of Probate.

x
Samuel Elmer

10

Division
Meadow

May 1830

To the Hon. Judge of the Court of Probate held at *Charlottesville*
in and for the County of Franklin, on the *eighteenth* day
of *May* A. D. 18*30*

HUMBLY shows *Chloe Elmer* of *Ashfield*
in said county, that she is the widow of *Samuel Elmer* late
of *Ashfield* aforesaid deceased intestate, whose estate is
now under the administration of *Ansel Elmer*

That the personal estate of the said deceased will not be sufficient to pay his just debts
and funeral charges, with the expenses of administration, or there will be little or no
surplus left;

Wherefore she prays your Honor to allow her such part of the personal estate of said
deceased as you shall judge fit and reasonable according to her quality and degree

Chloe Elmer

FRANKLIN, SS. At a Court of Probate, holden at _____ in
and for said County on the _____ day of _____

A. D. 18

UPON the petition aforesaid, due notice thereof having been given to all per-
sons interested, and the same being now by me maturely considered and fully under-
stood, it appears to me that the said _____ widow as aforesaid
is entitled to her reasonable allowance as therein prayed for.

I DO THEREFORE DECREE, that the said widow have and
to her own use, such articles, besides her apparel, out of the personal estate of the said
deceased, as she may have occasion for, to the amount of _____
dollars, according to the appraisal thereof in the inventory of
said estate, which shall not be assets in the hands of said administrator.

R. C. Harwood
Judge of Probate.

Samuel Elmer

Lower

July 20, 1830

To the Honorable *Richard B. Newcomb* Judge of the
Court of Probate in and for the county of Franklin held at *Charlemont*
on the *eighteenth* day of *May* A. D. 1830

THE petition of *Chloe Elmer* of *Ashfield* in said
County, widow,

HUMBLY shows, that she, is the widow of *Samuel Elmer* late of
Ashfield in said county, _____ deceased, intestate, that
the said intestate lately died seized in his own right in fee of certain real estate situate in
Ashfield whereof she is dowable and hath nothing,
and that the heirs of the said intestate now hold the same as their estate in fee, and have
neglected to assign to her, her reasonable dower therein according to law;

Wherefore she, _____ prays your Honor to cause that
her said dower, may be assigned to her, as the law in such case provides.

Chloe Elmer

FRANKLIN, ss. At a Court of Probate, holden at *Worcester* in
and for said County, on the *twentieth* day of
July A. D. 1830

UPON the petition aforesaid, it now appearing that all persons interested therein have
had due notice thereof,

And all and singular the premises being seen and fully understood, it appears to me, the
Judge of said Court, that the said *Chloe* is dowable
in said real estate mentioned: I do therefore decree that her reasonable dower therein
be assigned to her accordingly;—and *Japhet Chapin of Buckland*
and Lemuel Ellis and Jehonad Richman of
Ashfield all in said County
three disinterested freeholders in said county are appointed commissioners under oath,
to set off and assign the same to her, and make report of their doings to said Court, as
soon as may be.

R. B. Newcomb Judge of Probate.

Blanks
7
Simuel Elmer

Division

July 20. 1830

Received

To the Honorable *Richard E Newcomb* Judge of the
Court of Probate, held at *Charlemont* in and for the County of
Franklin on the *eighteenth* day of *May* A. D. 1830

THE Petition of *Ansel Elmer* of
Ashfield in said County

HUMBLY shows, that he *is* interested in the real estate whereof *Samuel*
Elmer late of *Ashfield* in said County

deceased ~~testate~~ died seized in this Com-
monwealth, whose heir ~~or devisee~~, he *is*; that he holds an undivided *with*
part thereof in common with *Erastus Elmer, Nathan Elmer, ~~and~~ Horatio*

Flowers & Mary his wife in her right, Alfred Elmer, Clarissa Elmer,
Wilson Elmer, Watson Elmer & Consuelo Elmer

the other heirs ~~or devisees~~ of said testate and that he is desirous that *his*
share ~~be~~ *purpartly* of said real estate may be set of to him to hold in severalty:

Wherefore your petitioner prays that a division or settlement of said real estate
among the heirs ~~or devisees~~ may be made and held firm and stable forever, in manner
and form by law in such case made and provided.

Ansel Elmer

FRANKLIN ss.
At a Court of Probate, holden at *Cornwall* in and for said
County of Franklin, on the *thirtieth* day of *July* A. D. 1830

UPON the petition aforesaid, it now appearing that all persons interested therein
have had due notice thereof

and all and singular the premises being seen and fully understood; it appears to me
that a division or settlement of said real estate among the heirs of said testate ~~ought to~~
be made. I DO THEREFORE DECREE, That *Japhet Chubb of Duckland*
Samuel Elly of Lopham and Richard of Ashfield in
said County — three discreet and disinterested

freeholders, be and hereby they are appointed Commissioners under oath, to make divi-
sion or settlement of the real estate in said petition mentioned, among the heirs of said
estate, according to law: — ~~or devisees of said testator, pursuant to law~~ *last will and*
~~testament, as the law in such case provides.~~

R. E. Newcomb J. Probate.

11 12
Samuel Elmer

Doune

Oct. 14. 1830

Receivd

Ashfield August 19th 1830 Agreeable to the within warrant we the subscribers have this day attended to the duties required of us by ~~the warrant~~ ^{the warrant} after being sworn for that intent and have set of one third of the real estate left by Samuel Elmer of Ashfield at his decease to his widow Chloa Elmer and made out the limits which we here present for inspection

Joseph Chapin
Dimeck Ellis
Levi Washburn

COMMONWEALTH OF MASSACHUSETTS.

FRANKLIN SS. To *Japhet Chapin of Buckland and Demmick Ellis and Zephaniah Richmond both of Ashfield all in said county*
three disinterested and discreet freeholders within said Commonwealth,
GREETING.

WHEREAS at a Court of Probate holden at *Lowrey* in and for the County of Franklin on the *twentieth* day of *July* A. D. 1830, it was made to appear that *Esther Colmer* widow of *Samuel Colmer* late of *Ashfield* in said county, deceased, intestate, was dowable in the real estate whereof he died seized, and, due notice to all persons concerned first being given, it was decreed by me, the Judge of said Court, that her reasonable dower therein be assigned to her accordingly.

You are therefore authorized and empowered, being under oath, and having given due notice to all persons interested therein, to appraise all the real estate whereof the said *Samuel* died seized, in his own proper right, in fee simple, in said Commonwealth, each tract and parcel with the appurtenances separately, with the name of distinction, buts and bounds and number of acres, at the present value, estimated according to the rents, issues and profits thereof.

You are also authorized and directed to sever and divide said estate, or any part thereof, from that of any other person, with which the same may lie in common and undivided, first giving timely notice to all parties interested in said estates.

You will then set off to the said widow one full third part of said real estate, as and for her dower therein, so as may be convenient for her, according to the rents, issues and profits thereof, describing the same by plain and lasting metes and bounds.

And if need be, you may employ a disinterested artist to make surveys and admeasurements of said estate, or any tract or parcel thereof.

And you will cause all persons interested, who are satisfied with your doings in the premises, to certify the same in writing.

Of this warrant with your doings thereon, make due return as soon as may be, unto said Court of Probate.

Given under my hand and seal this *twentieth* day of *July* in the year of our Lord one thousand eight hundred and *thirty*
R. C. Hancock Judge of Probate.

FRANKLIN SS. *August 13th* A. D: 1830
Personally appeared the above named *Demmick Ellis and Zephaniah Richmond*

and made oath that they would faithfully and impartially discharge the duty assigned them in and by the foregoing warrant.

Before me, *Japhet Chapin* Justice of the Peace.
Franklin ss August 17th 1830 Personally appeared the above named *Japhet Chapin* and made oath that he would faithfully and impartially discharge the duty assigned him in and by the foregoing warrant
Before me *Asphallos Osborn* and Justice of the Peace