

The following last will and testament, proof, inventory, petitions, citation, etc., were transcribed by Charles W. Paige on January 12 and February 7, 2006 from a copy of original material in Surrogate Box #4 and Will Book B-1, page 193 for Aaron Barnes, received from Cayuga County Records Management, 12 Court Street, Auburn, NY 13021.

Last Will and Testament of Aaron Barnes

The first day of May in the year of our Lord, one thousand Eight hundred and twenty three, I Aaron Barnes of the town of Mentz in Cayuga County and state of New York being in an ordinary state of health and of sound disposing mind and memory do make and ordain this my last will and testament for the disposal of my property wherewith I hath pleased divine providence to bless me in this life, viz. After my funeral charges and just debts are paid I give and bequeath as follows (that is to say) First I give and bequeath unto my beloved wife Martha Barnes the half of my house and barn so long as she shall remain my widow, Item, I give and bequeath unto my oldest son Jeffrey Barnes, four acres of land, which shall take in the building and lay in a square form together with the other half of my buildings to him, his heirs and assigns forever, and also the other half of my building after my wife shall cease to be my widow. I give and bequeath to my youngest son Horris Barnes the orchard south of my house to him, his heirs and assigns forever. The rest of my land I will, that it shall be equally divided between my three sons, Jeffrey Barnes Thomas Barnes & Horris Barnes. Item, I give & bequeath to my eldest daughter Elenor Shaver one hundred dollars to be paid to her two years after my decease, Item, I give & bequeath unto my second daughter Julia Barnes the sum of one hundred dollars to be paid to her two years after my decease, Item I give & bequeath unto my third daughter Sarah Barnes, one hundred dollars to be paid to her, two years after my decease, Item, I give & bequeath unto my youngest daughter, Sephronia Barnes the sum of one hundred dollars, to be paid to her two years after my decease. Item, I give and bequeath unto my beloved wife all my household furniture to have and to hold the same during the time of her widowhood, and after her it is my will that the said furniture shall be equally divided between my daughters, Elenor, Julia, Sarah & Sephronia Barnes. And it is my will that my wife shall have the privilege of taking fruit out of the orchard, south of my house, sufficient for her use & comfort. It is also my will that my eldest son shall provide provisions and firewood sufficient for the comfortable support of my said wife, and that my two youngest daughters may remain with my said wife, until they shall arrive at the age of eighteen years, unless they before marry. Lastly, I make & ordain, constitute & appoint my eldest son Jeffrey Barnes and Jacob Pennoyer of the town of Brutus, Executors to this my last will & testament, hereby revoking all former wills by me made, In witness whereof I have hereunto set my hand & seal the day and year above written.

Signed, sealed, published & pronounced
and declared by the said Aaron Barnes

Aaron Barnes

to be his last will & testament in the presents of us the subscribers, who have hereunto set our names as witnesses in the presents of the said testator.

William T. Talman Thomas T. Talman
Stephen Talman Waity Z. Waite
Stephen Talman, Junr

Subsequent Probate Material

Surrogates Office)
Cayuga County) Be it remembered that on this twenty-seventh day of January Eight hundred and twenty-four William T. Talman personally appeared before me, Benjamin L. Cuyler, Esq., Surrogate of said County and being sworn did depose and on his oath declare that the said Aaron Barns late of the town of Mentz in said county decd, sign seal and deliver an instrument in writing, purporting to be his last will & testament, bearing date the first day of May, Eighteen hundred & twenty-three (whereof the preceding is a true copy) and heard him publish and declare the same, as and for his last will & testament and that, at the time there of he was of sound disposing mind & memory, according to the best belief & knowledge of this deponent. And that the name of the deponent subscribed to the said will, is of his own proper handwriting which he subscribed thereto in presence of the testator & that he saw Stephen Talman, Stephen Talman Junr, Thomas F. Talman and Waity Z. Waite, subscribe their name to the said will as witnesses thereto in presence of each other and of the testator.

Benjamin L. Cuyler,
Surrogate

Surrogates Office)
Cayuga County) Be it remembered that on this twenty-seventh day of January Eight hundred & twenty-four personally came before me the subscriber, Surrogate of the County of Cayuga, Jeffrey Barns, Executor in the preceding will named, and was qualified as Executor by taking the necessary oaths, and letters testamentary were accordingly issued and recorded in this office the day and year aforesaid.

Benjamin L. Cuyler
Surrogate

The people of the State of New York, by the grace of God, free & independent: to all to whom this present shall come or may concern, send greetings.

Know ye, that at Ledyard in the County of Cayuga on the twenty-seventh day of January, in the year of our Lord, one thousand Eight-hundred & twenty-four, before Benjamin L. Cuyler, Esqs., Surrogate of our said county, the last will and testament of Aaron Barns, late of the town of Mentz in said County deceased, (a copy whereof is hereunto annexed)

has duly proved and is now approved & allowed of by us. And the said deceased having whilst he lived and at the time of his death, goods, chattels or credits within this State, by means whereof the proving and registering the said will, and the granting administration of all & singular, the said goods, chattels and credits, also the auditing, allowing & final discharging the accounts thereof doth belong unto us. Therefore the administration of all & singular, the goods, chattels & credits of the said deceased, and any way concerning his will is granted unto Jeffrey Barns / the other executor Jacob Pennoyer having renounced / Executor in the said will named, he being first duly sworn, will & faithfully to administer the same and to make and exhibit a true & perfect inventory of all & singular the said goods, chattels and credits, and also to render a just and true account thereof, when thereunto required. In testimony whereof we have caused the seal of Office of our said Surrogate to be hereunto affixed. Witness, Benjamin L. Cuyler, Esq., Surrogate of our said county at Ledyard, aforesaid, the twenty-seventh day of January in the year of our Lord, One thousand Eight hundred twenty-four.

Benjamin L. Cuyler,
Surrogate

Inventory of the personal property of Aaron Barns of the Town of Mentz and County of Cayuga Deceased as taken by us the Undersigned this 26th day of February in the Year of our Lord one thousand eight hundred and twenty-four.

Viz. 1 lumber sled and box	\$11.00	
Two-horse waggon	\$50.00	
2 yearling calves	\$6.50	
18 Head of sheep at \$1.37 1/2 cents per head		\$24.75
5 Hogs at \$2.00 per head	\$10.00	
1 Fanning mill	\$15.00	
1 Half bushel measure	\$0.37	
20 Bushels corn 2/3 per bushel	\$5.62	
Wheat in the sheaf	\$13.00	
95 Bushels of oats at 20 cents per bushel		\$19.00
2 Pitch-forks	\$0.50	
4 Tons of hay \$6.00 per ton	\$24.00	
1 Dun cow	\$13.00	
1 Red cow	\$10.00	
1 Black cow	\$10.00	
35 Bushels corn 2/3 per bushel	\$9.84	
1 Spade	\$0.75	
Grind-stone and crank	\$1.25	
1 Plough 2 shares and bolts	\$2.50	
3 Cykles 2/- piece	\$0.75	[sickles/C.W.P.]
Spring seat to waggon	\$4.00	
4 Trace chains	\$0.93	
1 Set of two-horse harness	\$10.00	
3 Axes	\$1.25	

1 Hand-saw \$0.12
 1 Sythe-stick and irons \$0.50 [Scythe/C.W.P.]
 Staple and ring \$0.50
 1 Bridle \$0.37 1/2
 1 Drawing knife or Shave \$\$0.37 1/2
 Irons on 1 pair of single whiffletree \$0.50
 2 Large clevises \$0.75
 1 Iron wedge \$0.37 1/2
 1 Basket of old iron \$1.27
 1 Crow bar 23 lbs. 1 Weighing 14 lbs.
 1 brass (sic) weighing 6 lbs. at 6 cents
 per lb. = \$23+14+6=\$2.58
 1 whiffletree 1 hoe 1 corn cutter \$0.25
 30 lb. drag teeth at 6 cents per lb. \$1.80
 1 Sythe & cradle \$1.37 1/2
 1 hoe \$0.06
 1 Hogshead \$0.50
 1 Half-barrel cask \$0.50
 1 Chain weighing 15 lbs. at 1/- per lb. \$1.87 1/2
 1 Do [Chain weighing] 11 lbs. at -/6 per lb. \$0.68
 23 Geese at 25 cents apiece \$5.75
 2 Two-year-old heifers \$9.00
 1 Hogshead \$0.75
 3 Cider barrels 3/- apiece \$1.12
 40 Bushels potatoes at 1/- per bushel \$5.00
 Pork \$10.00
 Lard \$1.00
 90 lbs Ham 4 cents a lb. \$3.60
 1 Gun \$5.00

Wearing apparel

1 Close bodied coat \$3.00
 1 Over coat \$2.50
 3 Vests \$0.75
 2 Shirts \$1.25
 1 Pair of woolen pantaloons \$2.50
 2 Pair thin striped pantaloons \$1.50
\$309.12

Household furniture

3 Barrels 3/4 apiece \$1.25
 3 Tubs and 3 empty casks \$0.50
 3 Meat casks & large tub at 3/- a piece \$1.50
 3 Tin milk-pans 2/- a piece \$0.75
 1 Tin pail \$0.37 1/2
 1 Brass kettle \$0.75
 1 Churn \$0.75
 1 Jug \$0.18
 2 Stone pots \$0.50
 1 Stone jug \$0.25
 1 Earthen pot \$0.12
 4 Tin squares \$0.25

6 Table spoons 6 cents each	\$0.37
1 Tea-pot	\$1.25
Cups and saucers	\$0.30
1 Tea canister	\$0.25
	\$9.34 1/2

Inventory of household furniture continues

1 Shell or dinner horn	\$0.50
1 Milk cup 2 plates	\$0.12
1 Pair steelyards	\$0.50
1 Glas bottle	\$0.12
1 Tea kettle	\$0.73
1 Dinner pot	\$1.00
1 Small dish kettle	\$0.75
1 Small Do Do [dish kettle]	\$0.37 1/2
1 Frying pan	\$0.37
1 Pounding barrel	\$0.25
1 Crane & hook	\$1.50
1 Pair and-irons	\$0.75
Shovel & tongs	\$1.25
12 Plates earthen	\$0.50
1 Bread dish	\$0.25
1 Lot knives and forks	\$0.37 1/2
1 Glas & bowl	\$0.12
1 Candle stand	\$1.00
8 Chairs	\$2.63 1/2
5 Bags 18 cents each	\$0.90
6 Chairs 3/- each	\$2.25
Clock & case	\$7.00
Two trunks	\$1.00
1 Chest	\$0.50
1 Tea table	\$3.00
15 Linen laces	\$12.74
1 Bed quilt	\$1.50
3 Linen table cloths	\$1.75
4 Do (linen) towels	\$0.65
2 Woolen blankets	\$2.00
3 Pillow cases	\$0.50
1 Looking-glas	\$0.75
1 _____[unreadable/C.W.P.]_____	\$6.00
1 Chest	\$0.75
1 Bed, Bedding & Bedstead	\$15.00
1 Bed, Bedding & Bedstead	\$11.00
1 Bed, Bedding & Bedstead	\$6.00
6 Run (sic) woolen yarn	\$1.00
1 Large spinning wheel	\$1.00
1 Reel	\$0.70
1 Small spinning wheel	\$1.25
1 Flax latchet	\$1.00
1 Women's saddle	\$7.00
1 Pair portmanteaus	\$0.50
3 Run tow yarn	\$0.30

1 Bedstead	\$1.00	
1 Large kettle	\$4.50	
1 Moody & 1 crock		\$0.12
2 Wooden bowls	\$0.37	
1 Colander	\$0.06	
1 Table	\$1.50	
1 Chest	\$0.85	
1 Bedstead & cord	\$2.00	(sic)
Books	\$2.00	
1 Rocking chair	\$1.00	
2 Pauls	\$0.50	
Amount of Household furniture	\$133.34	
Amount of Personal property	\$309.12	

Moses Dixon)
 Robert Hopkins) Appraisers

Filed July 10, 1824

Wheat on the ground \$30.00 [Added to bottom of list/C.W.P.]

To the Surrogate of the County of Cayuga-

The Petition of Calvin Turner of the town of Skaneateles, in the County of Onondaga and Chester Crandall of the town of Sennett, Cayuga County respectfully represent-

That Aaron Barns, late of the town of Mentz in said County of Cayuga, now deceased, made a last will and testament and therein appointed his son Jeffrey Barns, who now resides in the town of Butler in the County of Wayne, one of the executors thereof, that the said Jeffrey Barnes alone proved the said will and took out letters testamentary thereon, on or about the twenty seventh day of January in the year one thousand eight hundred and twenty four and took upon himself the trust of administering upon the estate of the said deceased.

And your petitioners further represent, that the said Calvin Turner, intermarried with Julia Anna Barns, who is one of the daughters of the said deceased, that she is at present the wife of your petitioner Calvin Tanner, that the said Chester Crandall intermarried with Sophronia Barns, another daughter of the said deceased, and that she is at present the wife of your petitioner Chester Crandall-

That this said Jeffrey Barns, as executor as aforesaid, removed a large amount of personal property from the estate of the said deceased, and which has never been satisfactorily accounted for by the said executor.

Chester Crandall, eighty dollars, which would leave owed to the said legatees from the said executor the several sums herein after maintained. It is therefore ordered and decreed by the said Surrogate, that the said Jeffrey Barns pay to the said legatees the balance of the said legacies in his hands as aforesaid, to wit, to the said Isaac Shaver thirty four dollars, & forty eight cents, to the said Sarah Barns fifty three dollars and sixty four cents, to the said Calvin Tanner & Chester Crandall each the sum of twenty one dollars & eighty one cents. And it is also ordered by the said Surrogate, that the said Jeffrey Barns pay the costs and expenses made in the proceedings in this matter, being the sum of nineteen dollars and thirty one cents, or in default thereof that an attachment issue against him.

To the Surrogate of the County of Cayuga—

The petition of Horace Barns of the town of Galen in the County of Wayne, respectfully represents—

That Aaron Barns, late of the town of Mentz, the said County of Cayuga, now deceased, made a last will and testament, and therein appointed his son Jeffrey Barns, who now resides in the town of Butler in the County of Wayne, one of the executors thereof, that the said Jeffrey Barns alone proved the said will, and took out letters testamentary thereon, on or about the twenty seventh day of January in the year of our Lord one thousand eight hundred and twenty four, and took upon himself the trust of administering upon the estate of the said deceased.

And your petitioner further represents that he is a son of the said Aaron Barns, and one of the legatees mentioned in the said last will and testament.

That the said Jeffrey Barns, as executor as aforesaid, removed a large amount of personal property from or belonging to the estate of the said Aaron Barns deceased, and which has never been satisfactorily accounted for, by the said executor.

Your petitioner further shows, that he has an interest in the personal property of the said deceased, and is _____ that the said executor should be required to render an account of his proceedings as such executor and of the amount of the personal property that came to his hand, show the same has been disposed of.

Your petitioner therefore prays that an order may be entered by said Surrogate requiring the said Jeffrey Barns as executor as aforesaid, to render his said account, and that he may be decreed to pay your petitioner such share of said personal estate in his hand, if any, as shall of right belong to your petitioner.

Dated Oct. 28th 1831 Horace Barns

Cayuga [symbol]; Horace Barns being sworn says that the facts above set forth are true to the best of his knowledge and belief.

Sworn this 28th day of Oct. 1831 before me. Horace Barns

J. Porter, Surrogate

THE PEOPLE OF THE STATE OF NEW-YORK, BY THE GRACE OF GOD FREE AND INDEPENDENT:--TO

Jeffrey Barns, Executor of the last will & testament of Aaron Barns die?

GREETINGS:

You are hereby summoned personally to be and appear before our Surrogate of our County of Cayuga, at his office in Auburn in said County, on the nineteenth day of November next at ten o'clock in the forenoon of that day to render an account of your proceedings as such executor as aforesaid, on the application of Horace Barns, one of the next of kin of the said Aaron Barns die?

And hereof fail not under the penalty of the law.

IN TESTIMONY WHEREOF, We have caused the seal of office of our said Surrogate to be hereunto affixed. Witness, John Porter, Surrogate of said County, at Auburn, the twenty eighth day of October in the year of our Lord one thousand eight hundred and thirty one.

John Porter, Surrogate.

Cayuga [symbol]; Horace Barns being sworn says that he served a copy of the written citation on Jeffrey Barns personally, the person to whom the same was _____ on the fourth day of November instant & at the same time shewn him the within citation.

Sworn before me this 19th day of Nov 1831. [Unsigned--perhaps a bad copy/C.W.P.]