Description:	Loose estate papers of James Osborn (includes original will) (d. 1881) Monmouth Co., NJ Loose Estate Records, Case #13897M
Repository:	Family History Library, Salt Lake City, UT
Format:	Microfilm
Film #:	549679

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13897 M gates office of man-much County in Rook of mille progratore Files January 3. 1881.+ readed in the Turn deci dingate James Ophorus. Well to

To Aaron R. Throckmonton, Surrogate ! of the County of Monuouth, We Cathanine E. Colling, Mary J. Virichell, and Rebecca A. Anbert, children and heirs of James lebow late of the Township of Wall in the County of Monmonth and State of New Jersey, deceased, do hereby careat and protect against admitting to probate any paper purporting to be the last will and testament of the Raid fames asborn, until examina tion and decree there on by the Chiphane' bount of said bouity of Monnouth Witness our hands this twenty fifth day of June D. eighteen hundred and eighty. Cathanine E. Bollins Mary Jane Swicher Rebecca A. Herbert- 2 Sunan. Duy. - Charles S. Day. J. Edward -Day - failie 6 ligaluth Day 1/2, Cathanie 6. Cellin Their othermey in fact.

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At an Orphans Court held at Freehoed. in and for the bounty of Monworth, on the preuty thirdday of December. a. D. 1880, m the Server of October. a. D. 1880. In the matter of admitting to probate a certain? paper purporting to be the last) Decree Will and Distaminet of James Osborw, deceased, ou Careat A filer by batharies & bollies to there. A bareat having been filed against the probability a paper purporting to be the last thel and Testament of James Osborn deceased," and the matter having been heard by this Court. in the presence of Charles Haight, Counsel for the Executors named in saidwill, and of William It. Vridenburgh Equire, Counsel for the Leareators, and the cridence and profo haring been heard, and the exhibits offered in evidence read, and the lower heard and duly considered the same, and the arguments of the respective bounsel; it is Thereupou ordered adjudged and decreed by this bourt, that said paper, dated Decenber 19th a. N. 1872. aut the first bodicil attack ed to said hill dated august 5th a. S. 1876 and the Second Codicil attached to said

will dated august 17th a. s. 1877 (against the protate of which said careat was filed is the last the and Sestament and Codicils of the said James Osborne , deceased, and that the same mere duly and legally executed by him, and that at the doing thereof, the said fames Osborn was of sound and disposing und racemony and understanding and that said the and Codicel's there h attached, be for thurth autis hereby admitted to protate and it is further ordered that the costs to be taxed of both parties, together mith a leounsel fie of Ino hundred dollars to each side, to paid of sand duceased To the tourney . whited thereto. Decr. 15. 1880 By the court. A. Waling M. John Kemsen John Kemsen July 200 To the blerk of this court for the parties Dale Dec. 13: 1880

Wounder Officians C. Och Terrie 1880 Fels December 23 1880 Deere " ruthi water of admitting to propate a cortain paper purpon-ting to be the last Jaines Osbornder This & Dechauser of on careat.

On the name of God anen I famer Osborn of the township of Wall in the bounty of Monuouts and State of hew servey, being of Second and disfo king mind menong and understand ing. for which blessing I thank too do make and publish this my hast will and lestament in manne and form fol lowing, that is to day. Tust. It is my with and thereby order and direct that all my pist debts and funeral Expenses be duly hart and Satisfied out of my Estate. as soon as the Jamo Can Concernently te done after my decease by my Executors hereinafter hand Here I give and device unto my Son abraham of Osborn his here and assigns all that hart of my Howested farm, and the horth Side of Aquean River, as Surveyed by John b. black Beginning at the Bank of the River, where the north him of sand faren and the South him of Charles &. borns fares Comes to Laid River and run. ming there by a Compass adjuster to a two meridean as follows (1) horth fifty one degrees tweedy three menutes west tigty Chanes (2) South think Eight degrees thirty

Seven minutes west mino Chains forty links to the horts bind of a part of my Housester faris here in after devised to my sou Au drew J. Osborn theres (3) South fifty our de grees twenty three minutes East fifty seven Chains Sigly five hendes to the aporesais Rive therea (4) along the River as it runs the Ser. serat courses there of to the beginning Con taining fifty five acres and twenty nine hundredthes of and acro Street measure Excepting and reserving out of the Sand, the Burying gracend an the said forces for a burying ground for my family and their descendants foreverthe above decise to my dow abraham f. Orborn is subject to the payment of three hundred , wo one year after my de. Cease. as here in be greathed to my daughter Rebecca Aterbent wife of James Herbert Which smate a lien upon the said property above devised to my saw abrahaen f. Osborn. teno I que and devise unto my son andrew J Osborn his heirs and assigns forever. all that part of my Howester Farm. (Leginning at a Cedas tree elas

Course South seven degrees forty five minutes west distant Rigteen Chams fifty Eight henks from the south west Comes of my Howester dwelling House and Known as the Old fish harolt here. there running (1) horts Eighty two degrees forty fine minutes west three Chains Seventy seven heiles to a red Cedar theo (2) South forti five degrees west , one Chains twetwee links to the South Side of a Rual Stream (3) horto Sixty and degrees thirty minutes West find Chains Seventy three tinks along the south side of said Stream (4) horts Sigly Eight degrees forty minutes west three chains say to Eight kenks (5) horthe fif. tees degrees piftees minutes west three Chains twenty two heiks (6/ northe seven de grees fiftees minutes East our Chain thirty two lenks (7) horts Sixteen degrees fortz five minutes west one chain five " huiles to a daw (8) north Eight, three degrees East two chains twenty seven hills along said daw (9/ horts Eighteen degrees East three chains tracedy find links (10) horts fine degrees forty fine minutes heart one Chain second new bucks (11) north forty for degrees twenty fied minutes tweet Reven Chanis find here (12) horto thirty three de greet thirty minutes East four Chains Six

teen lucks (13) horts forty find degrees liest tracity find Chains twenty Reven links (14) horts thirty Eight degrees thirty seven minutes Each to the Southwesterty line of the track herein above devised to my Son abraham J. Osborn (15) South fifty our degrees twenty three minutes best fifty seven Chains Rayty five links to the River (16) there along the River as it runs to a paint opposite the old Fish Hawk theo or place of beginning dis tant and Chain theretwo links and a Course South Eighty two degrees fort fine minutes Each from said beginning tree themes [17] horts Eighty two degrees forty five min utes lacot to the place of beginning Containing One hundred and three acres more or lefs . the above device to my Raw audrew & Osborn is Rubject to the payment of English hundred dol have in our year after my decase ory the I was of fired hundred dollars to my daughter batharing & bollins and the Runs of three hundred dollars to my daughter Sarato m Day wife of Edward Day. Wheele Seem of Eight hundred dollars Imake a lees and Charge upon the track of land above deviced to my

See andres J. Osborn Iters I quie and bequeatto to my daughter Rebecca Sterbert wife of James Mertert the hundred dollars to be pais to her on her herrs in our year after my decease by my sai abrahan for born and Leypreply charge and make the same a lies whom the track of land above devised to him -Item I quie and bequeate to my daughter Catharino & bollins the time of five here dread dollars to be paid to hes in one year after my decease by my Row andrew f. Asborn. and dey preply Charge and make the same a heir upon the track of land hereins above deviced to him Itens I give and bequeate to my daugh to Sarah m Day wife of Edward Day the seen of three hundred dollars to be paid to her on her hers in and year after my decease by Row andrew J. Osborn and deep heply Charge and make the same a lies whom the track of hand above devised to my hand San audrew J. Osborn Item I give and deare to my sous abrahan f. Osborn and andrew

J. Osborn their heirs and assigns forever Equally to be divided between them - all that track of pino hand and ledan Swamp Cantaining about twenty three a cres Reterate and the South Ride of Aquan River in Brick township been County new Jersey, being the and half of three several tracts which formerly owned in Course with my brother abraham Osboon Hately with his son Samuel F. Osborn and which to and recently divided theader Suit claim Deeds for; also alo my Cedar Swamp Saturates and the Routh Ride of the South branch of Beaver Daw heeks in Brick township Ocean County new Lersey adjoining hands of allen Osborn. and land now belonging to the here of William & Johnson decision and land of formerly abraham S. Os born decaded. The quantity of which tract is makerow Stens & authorize duest and En power my Executor herein after haved on the Surowood of them to lele as soon after my decease as can con vere rently to done. Settles at public or private Rale as in their judgment may

J. Osborn their here and assigns forever Equally to be divided between them - all that have of pino hand and ledan Swants Cantaining about twenty the a cres situate and the south side of Aquan River in Bruck township been County new Jersey, being the and half of three several tracks which stormary owned in Common with my brother abraham Osboon Hately with his son Samuel F. Osborn and which to and I recently divided theader Quit claim Deeds for; also alo my Cedar Swamp Setudo ano the Routh Ride of the South branch of Beaver Daw hecks in Brick township Ocean County new Servery adjoining hands of allen Osborn. and land now belonging to the heris of William S. Johnson decision and land of formerly abraham S. Os born decased the quantity of which tract is multinoro Stew of quellionize due and Empower my Executor hereinafter haved on the Survivor of them to let as soon after my decease as can Con venently led done. Enthes at public or private hale as in their judgment may

Seen best. all the rest and resedue of my Reat Estate where socie Situated and of which I may die Renzed and Convert the same into moreny hereby authorizing and Empowering them, to make and Execute good and Ruffe. creat dead on deads in have to the pure chased on preachasers for said real Estates - and out of the proceeds of sand Sales I desire my debts to be pard. I tens I quis and begreeatto to my daugh tes many f. Twitched wife of Mellion Troutshel the know of three hundred dollars to be paid to her in one year after my decease by my Expectators out of the proceeds of the tale of my real Estate ordered to be sold after the payment of my debts provided these be subficent and if not sufficients them I dried the same to be pairs by my two saws abraham f. Osborn and an. drew & Oxborn Equally and I change and make the secure a lier whow the real Sotate hereinbefore deviced to the. den give and bequeetto to Edwis Osborn. marion Osborn Winfield Osborn and William Osborn. Cheldres of my deceases son Beenajab Orborn the suns of one hundred dollars

Each to to hand to them on their haufer representatives and area year after my decise by my Exectors on the tear vivolteen and of the proceeds of my read Estate andered to be Rold. after the payment of my deblo. provided there bo sufficient and of not sufficient thes I direct the same to be paid by my Rows abrahaw J. Osborn and audien J. Osborn Equally and I change and make the same a change and her Equally upon the real Estate herein before deviced to my said Rows about hand and herdrew J. Osborn I tens after the payment of all my just debto burneral Expenses and the Expenses of settling my Estate and the legacy bequeather to my daughter may and to the children of my sai Benajato Osborn. I give and be queato. the residue of my Estate (of acy) to my two sous abra have f. Osborn and andrew f. Osborn Equally to be divided between them Share and Share alike - but should there not be sufficient of my hersonal Estate and the proceeds of the real Estates above ordered to be sold, to pay ale my debt. and funeral Expenses. and the

Lash above named legacies there it is my wish and bild that any deficiency le equally hard by my kaid two hours abraham J. Osborn and andrew J Ov born and I change his make hair defi criney (if any) a lien reporter the hands above devised to them. Lastly shereby appoint my two sous abraham f. Orborn and andrew f. Osborn Executors of this my last love and lestament hereby revoking all former lorles or Codicilos, by me at any time heretofore made. In thitief Where of I have here to teh my hand and lead this hindleath day of December . Eighten hundred and keventy two. Segres by making his mark) seales and published the elares by the sais fames in his his born the testator to be his last loite James XOLborn and testament in the presence of us who at mark mark and testament in the presence of us who at his request. in his presence this the presence of each other have Regned and name as tortrapas - The word "dollar" and 2" have the word" my ' on 5thege the loss "on the survivor of them" on 7 have itertino before Executions Robert Saira AR. Smortunoton

bodicid I fames Osborn of Wald Torouship Monuentle County her Dersey being of sound and disposing much and menory do make and publish this as a Codicil to be added to the within hast will and testament heretof or made and Executed by me which will bear date the nucleast day of Accember AD. Eight. tees hundred and severy two -First Thereby ratify and Confire have lored in are respects. Lave to far as any parts thereof may be allered on changed by this press. ent Codicato there to. Second I give and bequeatter to area Osborn daughter of my deceased son George to Osborn the sun of four here. died dollars payable is and year after my decease by my Executors on the survois of of them and of the proceeds of my Real Estate ordered to be sold by my aforesai loied, after the payment of my debts, provided there bes Rufficient to pay the same, and if not keeffi cient then I order and driest the above lega cy to sais and Osborn to be paid by my sours abraham & Osborn and audien of Osborne Squally and I do charge and make the have a her and change upon the Real Estates

bodicio : I fames Osborn of Wald Township Monuentle County new Dersey being of some and disposing much and menory do make and publish this as a Codicil to be added to the within hast will and testament heretof or made and Executed by me which will bear date the nucleaste day of Accember AD. Engle. tees hundred and severy two -First Thereby ratify and Confire have lored in are respect. Rave to for as any faits thereof may be allered on changed by this pres. ent Codicato there to. Second I give and bequeathe to and Osborn daughter of my deceased son George to Osborn the sun of four here. dread dollars payable is and year after my decease by my Executors on the survivor of them out of the proceeds of my Read Estate ordered to be Rold by my aforesai loied, after the payment of my debts, provided there be sufficient to pay the same, and if not keeffi cient their I order and direct the above lega cy to sais and Osborn to be paid by my sous abraham & Osborn and audrew & Osborne Squally and I do charge and make the have a her and change upon the Real Estates

dearted by my aforerai will to my sais sous abraham forborn and andrew for born. Equally -In writing to this present wonting . Which I hereby declare to be a Codicil to my lash will and testament, and which I driect to be ad - dea thereto and to be Latters as part there of Shave ket my hand and keat this Fifth day of august AD Eighteen hundred and Seventy sig Agne & sealed published and declared by the Zais farmers Or. born as and for a codicil to his Lash line & lestament and to be taken James torn the as a part thereof, is the presence of us , who at his request in his presence and in the presence of Each attes als present of the Dame time . have Regned atos have as witheps Robert Laira John D Hamm

Codicio I fames Osborn of Wald Township monuments County new Lersey being of som and disposing mind menory and under standing do make and publish this as a Codicil to be added to the within task Will and Vestament and Codicel heratofore mades by me which were and Verlaught bears date the niestearthe day of December A D Suppleon heredied and Deventy twoand wheel code al bears date the fifthe day of august. A.D Eighteen hundred and Accent Rig. my indebtedu of being know as to render a change recessing us my opinion un sand three and Codice heretofore. made First. Thereby ratify and Confirm Rand will and Codicit heretofore made in and respects, save so far as any part through Inay to altered on Changed to this pres. aut Codiced Steen - I give and be greathe to my daugh ter Relaces darbart who of James Herbert the since of two hundred dollars instead of the sum of three heardies dol lais as mentioned we my will aforesaid the same to be part as in said lorde men traved and to be chargeable as in fact

loies specifica Stew oques and begreather to my daughter batharmo & ballens the run of two hun. dread dollars, instead of the Second five hundred dollars as mentioned in my aforesand loile, the dans seen of two here. dred dollars to be paid as in my sand will maintioned and to be chargeable as in my aforas and will specified Itere I gries and be greather to my daughter Sarah m Day where of Edward Day the Sum of two hundred dollars instead of the Seen of three hundred dollars as men trand in my aforesaid wite. the said Sem of two hundred dollars to bo paid as in my said loile mentioned and to be Charges ble as in my aforesaid toile specified Steen I give and bequeatto to my daugh ten many & Two takele sorte of William Vioitchele the leans of two hundred dol have ristend of the Rever of three heredies dollars as mentioned in my aforacion Wile, the said Reem of two hundred dol. have to be paid as in my Raid will mentioned and to les chargeable as in my eforessis will operation Item I guis and bequeath to Edward Do born. marion oxborn, Wiefeld Oxboon

and William Osborn Children of my decaded how Recajab Osborn the Run of fifty dollars cache, instead of the second of Our hundred dollars each as mentioned in my afores and love the Rais sur of fifty dollars to each of said children to be pais as in my afore Raid Will mentioned and to be Charges bles as in my aforesard love efacilies. Item . I give and be queathe to area Osborno diase ghter of my decased Row George W. Oxborn the Lun of our hun. died dollars inclease of the know of four heading dollars as mentered in the Codicel to my afores and lorde dated the fifthe day of arequist it D. Eighteen hundred and second tig the lais second of one dollars to sand of my said grand children to be paid as in the said Code ceb to my afore said will mentioned and to be chargeable as in my haid Codiced to my aforesand loves specified. In toitung to this present contange which I hereby declare to be a codicet to my afore have hash loile and testament and the Codicil thereto and tokich & direct to be added therete and to be taken as parts thereof - shave set my hand and seal

this seventeenthe day of duque the teens hundred and seventy seven -Reques Realed published and declared by the said famos to his last boiles and testament fames & Osborn the and the Codices there are a part thereof in the presence of us, who in his presence and at his request and in the presence of each other. all present at the same times, have Repred our haves as torterepes - The word "One" with ten over an Easternes. The word hundred interlued the word Each of " + "rew" Erased before Spectar Sairl Jeseph Thomas al. Shrockington

Robert Land one of the witnesses to the Codicil to the within Will, according to law, did depose . being duly Awon · Cor - and say that - he . saw dames Osborno the testa lin . therein named, sign and seal the same, and heard publish, pronounce and declare the annexed writing to be a Codicil to has last Will and Testament and that at the doing thereof the said testa wo was of sound and disposing mind and memory as far and as he as this deponee know A verily and that believe s John D Warner present at the same time, and signed his the other subscribing evidence was name - as witness - to the said Codicil, together with the deponent in the presence of the said testa to and of each other sworn AND SUBSCRIBED to first -BEFORE ME, this the loter Lairdo A. D. 1850 of Decensity approximation Surrogale State of New Jersey, ss. Monmouth County, abraham & Oxborn and andrew & Oxbor the Execut ors in the within testament named, being duly Lev according to law, did depois - and say that the annexed instrument contains the true Last Will and Testament of James Osborn - the testator therein named, as far ask hey know and as they verily believe ; that they will well and truly perform the same, by paying first the debts of said deceased, and then the legacies in said Will specified, so fur as the goods, chattels and credits of said deceased can thereto extend : and they will make and exhibit into the Surrogate's Office of the County of Monmouth, a true and perfect inventory of all and singular the goods, chattels and credits of said deceased that have or shall come to them knowledge or possession or to the possession of any other person or persons, for their use, and render a just and true account, when thereto lawfully required ; and further, that the said James died on the Seven level day of June - A. D. 1880 Osborno BEFORE ME, this Iligia - day } sworn. A. D. 188 Andrews. J. Cas Jama all I mork morton Annegate

Accord of the witnesses to the Codicil to the within Will, being duly swop _____ according to la that _ he - saw James Osbor according to law, did deform -_ and say the testa Con publish, pronounce and therein named, sign and seal the same, and heard declare the annexed writing to be a Codicil to h A last Will and Testament, and that at the doing thereof the said testa tr was of sound and disposing mind and memory as far and as Xe verilu as this deponent know A and that believe s Joseph Thampson and arow & Throutino to the other subscribing evidences were present at the same time, and signed their names as witness 14 to the said Codicil, together with this deponent in the presence of the said testa to and of each other Ruom AND SUBSCRIBED No BEFORE ME, this Chen first day of Accember A. D. 1889 all thronton how Surrogates State of New Jersey, ss. Monmouth County, abraham & Oxborn and andrew & Oxbor the Execut or in the within testament named, being duly Au according to law, did depose - and say that the annexed the true Last Will and Testament of Dames Osborn and say that the annexed instrument contains - the testator therein named, as far as hez know and as they verily believe ; that they will well and truly perform the same, by paying first the debts of said deceased, and then the legacies in said Will specified, so far as the goods, chattels and credits of said deceased can thereto extend : and they will make and exhibit into the Surrogate's Office of the County of Monmouth, a true and perfect inventory of all and singular the goods, chattels and credits of said deceased that have or shall come to them knowledge or possession or to the possession of any other person or persons, for their use, and render a just and true account, when thereto lawfully required ; and further, that the said Oames Osborno died on the Seven beach day of A. D. 1880 AND SUBSCRIBED Abakam Swowie. BEFORE ME, this liged day Andrews. g. Cestorn Jana A. D. 188 of allethrouturothe huregates

Second of the witnesses to the Codicil to the within Will, according to law, did deform _____ and say being duly swope -Osborn - the testa lor that - he - saw James nublish, prongunce and therein named, sign and seal the same, and heard declare the annexed writing to be a Codicil to h 🖌 last Will and Testament, and that at was of sound and disposing mind and memory as far the doing thereof the said testa to and as Xe verily deponent know A as th is and that believes ____ Contra Maria Joseph Thompson and arow & Throutino to

the other subscribing evidence, were present at the same time, and signed their names as witness 4 to the said Codicil, together with this deponent in the presence of the said testa to and of each other

Surropote

No

AND SUBSCRIBED kwon first BEFORE ME, this Ch day of Accounterp A. D. 188 a & Dhon tur how

State of New Versey, ss. Monmouth County,

abraham & Osborn and andrew & Osbor

the Execut ord, in the within testament named, being duly Aword according to law, did depose - and say that the annexed instrument contains the true Last Will and Testament of Dames Osborn

the testa or therein named, as far as hey know and as they verily believe ; that they will well and truly perform the same, by paying first the debts of said deceased, and then the legacies in said Will specified, so far as the goods, chattels and oredits of said deceased can thereto extend : and they will make and exhibit into the Surrogate's Office of the County of Monmouth, a true and perfect inventory of all and singular the goods, chattels and credits of said deceased that have or shall come to the survey or to the possession of any other person or persons, for the use, and render a just and true account, when thereto lawfully required; and further, that the said

died on the Seven beach day of the - A. D. 1880 Osborno _AND SUBSCRIBED Abakam Sworn BEFORE ME, this D day Andrews, J. C.s. A. D. 188 Jan all Throutino ton Annegates

Robert Land and of the witnesses of the within Will being duly sworn - according to law, did depart - and say that - he - saw Dames Osborn the testa to therein named, sign and seal the same, and heard publish, pronounce and declare the annexed writing to be his last Will and Testament and that at the doing thereof the said testa to was of sound and disposing mind and memory as far as this deponent know A and as he verily believe s and that aarow R. Shrocking the other subscribing evidence was present at the same time, and signed his name - as witness - to the said Will, together with the deponent in the presence of the said testa to and of each other Sword. - AND SUBSCRIBED BEFORE ME, this that first day all thor two tow Surrogete State of New Bersey, ss. Monmouth County, abraham & Oxborn and andrew & Oxbor the Execut ors, in the within testament named, being duly Aus according to law, did depose - and say that the annexed instrument contains the true Last Will and Testament of James Osborn the testator therein named, as far as they know and as they verily believe ; that they will well and truly perform the same, by paying first the debts of said deceased, and then the legacies in said Will specified, so far as the goods, chattels and credits of said deceased can thereto extend : and they will make and exhibit into the Surrogate's Office of the County of Monmouth, a true and perfect inventory of all and singular the goods, chattels and credits of said deceased that have or shall come to them knowledge or possession or to the possession of any other person or persons, for their use, and render a just and true account, when thereto lawfully required; and further, that the said dames died on the Seven benefit day of June - A. D. - A. D. 1880 -AND SUBSCRIBED Abraham Osbom sworn BEFORE ME, this Lly D - day Andrews. g. 6 Janaf A. D. 188 all Throutino tow Annegates

AND THE REAL PROPERTY IN A SECOND STREET, SAME the second s And the second second