

July, in the year one thousand eight hundred and fifty five.

L C Platt-

Surrogate-

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Be it Remembered, that heretofore, to-wit on the Eleventh day of July, in the year one thousand eight hundred and fifty five, John F Yerks, the sole executor named in the last will and testament of William H. Yerks, late of the town of Mount Pleasant, deceased, appeared in open Court before the Surrogate of the County of Westchester and made application to have the said last will and testament which relates to both real and personal estate proved, and on such application the Surrogate did ascertain by satisfactory evidence who were the widow, heirs and next of kin of the said testator, and their respective residences, and one of them appearing to be a minor, having no general guardian residing within the State of New York, a special guardian was appointed in due form of law, to take care of their interests in the matter of proving the said will, by an order entered for that purpose by said Surrogate and said Surrogate did thereupon issue a citation in due form of law directed to the said widow, heirs and next of kin and said special guardian by their respective names stating their respective places of residence, requiring them to appear before the said Surrogate at his office in the town of White Plains, on the twenty third day of July, in the year one thousand eight hundred and fifty five, and attend the probate of the said will,

And afterwards, to-wit, on the said twenty third day of July, satisfactory evidence by affidavit was produced and presented to said Surrogate of the service of the said citation in mode prescribed by law, and on that day no one appearing to oppose the probate of the said will, such proceedings were thereupon had afterwards that the Surrogate took the proofs of the said will hereinafter set forth upon this twenty third day of July, in the year, one thousand eight hundred and fifty five and he adjudged the said will to be a valid will of real and personal estate and the proofs thereof, to be sufficient, which said last will and testament and proofs are as follows, that is to say-

The last Will and Testament of William H Yerks, of Mount Pleasant, Westchester County State of New York:-

I, William H. Yerks, considering the uncertainty of this mortal life, and being of sound mind and memory-(blessed be Almighty GOD, for the same ) do make and publish this my last will and testament in manner and form following that is to say:-

First:- I will and ordain that my funeral expenses and all my other expenses and debts be paid out of my personal property-

And I give and bequeath to my beloved wife, Ann Yerks, the interest of one third of the remainder of my real and personal estate during her natural life which will be in lieu of dower-

And the remainder of all my property I give and bequeath to my son, George Wilbur Yerks, to come in his possession when he shall arrive at the age of twenty one years-

And I further will that my executor sell my personal

property as soon after my decease as convenient and my farm lying in  
Unioenville, Mount Pleasant- my said executor may sell at private sale  
or auction the time and manner to be his own discretion.

And I hereby commit the guardianship of my son George  
Wilbur Yerks, until he shall attain the age of twenty one years, unto my  
father- John F Yerks, and the expenses of his maintenance and education  
to be paid out of the monies which shall coming to him-

And I hereby appoint my said father- John F Yerks, my sole  
executor of this my last will and testament-

In Witness Whereof, I have hereunto set my hand and seal  
the 14th day of May, in the year of our Lord, one thousand eight hundred  
and fifty five.

William H Yerks, (LS)

The above instrument consisting of one sheet was now  
here subscribed by William H Yerks, the testator in the presence of us  
and each of us and was at the same time declared by him to be his last  
Will and testament, and we at his request sign our names hereto as attesting  
witnesses.

Henry Clark, residing in Mount Pleasant, Westchester Co.  
John C Clark, residing in Mount Pleasant, Westchester Co.

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Westchester County-  
Surrogate's Court

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In the matter of proving the last  
Will and testament  
of  
William H Yerks,  
deceased.  
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State of New York,  
Westchester County:-SS:-

Henry Clark, of the town of Mount Pleasant, in said County-  
being duly sworn and examined before the Surrogate of the County of West-  
chester, doth depose and say that he was well acquainted with William H  
Yerks, late of the town of Mount Pleasant in said County deceased, That  
he was present as a witness and did see the said William H Yerks, deceased  
subscribe his name at the end of the instrument in writing now produced  
and shown to this deponent bearing date the 14th day of May in the year  
of our Lord, one thousand eight hundred and fifty five purporting to be  
the last will and testament of the said William H Yerks, deceased, That  
the said William H Yerks, at the time of making such subscription de-  
clared the said instrument to be his last will and testament and requested  
this deponent to sign his names as a witness thereto. Thereupon this de-  
ponent did accordingly sign his name as a witness at the end of the said  
instrument in the presence of the said William H Yerks, deceased and in  
the presence of John C Clark, of the town of Mount Pleasant in the said  
County the other subscribing witness to the said instrument, This depo-  
nent further saith that the said William H Yerks, deceased at the time  
of executing the same was a citizen of the United States of full age  
sound mind and memory in all respects competent to advise real estate  
and not under restraint, and that this deponent saw the said John C Clark  
sign the said instrument at the end thereof, in the presence of the said  
William H Yerks, deceased and at his request-  
Sworn examined and subscribed before  
me this 23rd day of July, A.D. 1855. Henry Clark,  
I C Platt Surrogate-

Westchester County-  
Surrogate's Court-

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In the matter of proving the last  
Will and testament  
of  
William H Yerks, deceased-

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State of New York  
Westchester County- SS:

John C Clark of the town of Mount Pleasant in said  
County, being duly sworn and examined before the Surrogate of the County  
of Westchester doth depose and say that he was well acquainted with Wil-  
liam H Yerks, late of the town of Mount Pleasant, in said County deceased,  
That he was present as a witness and did see the said William H Yerks,  
deceased subscribe his name at the the end of the instrument in writing  
now produced and shown to this deponent bearing date the 14th day of May  
in the year one thousand eight hundred and fifty five, purporting to be  
the last will and testament of William H Yerks, deceased, That the said  
William H Yerks, at the time of making such subscription, declared the  
said instrument to be his last will and testament and requested this  
deponent to sign his name as a witness thereto. Thereupon this depon-  
ment did accordingly sign his name as a witness at the end of the said  
instrument in the presence of the said William H Yerks, deceased and in  
the presence of Henry Clark of the town of Mount Pleasant in said County  
the other subscribing witness to the said instrument, This deponent further  
saith that the said William H Yerks, deceased at the time of executing the  
same was a citizen of the United States of full age sound mind and memory  
in all respects competent to devise real estate and not under restraint,

And that this deponent saw the said Henry Clark sign the said instrument  
at the end thereof, in the presence of the said William H Yerks, deceased  
and at his request-  
Sworn, examined and subscribed before  
me this 23rd day of July, A.D. 1855. John C Clark,

L C Platt-  
Surrogate-

Westchester County:-SS:-

It appearing from the proofs taken in respect to the  
last will and testament of William H Yerks, late of the town of Mount  
Pleasant, in the said County, deceased, that the said will was duly  
executed and that the said William H Yerks, deceased at the time of  
executing the same was in all respects competent to devise real  
estate and not under restraint,

The said last will and testament and the proofs and  
examinations taken thereon are hereby recorded, signed and certified  
pursuant to the provisions of the Revised Statute this twenty third  
day of July, in the year one thousand eight hundred and fifty five.

L C Platt-  
Surrogate-

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