This is an extract and summary of some 220 pages of George Gordinier’s estate paper in Herkimer County, NY about 1825.

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Herkimer County, NY, Estate Papers Files G 1813-1835, file 02891

P 556-777

p. 558

Preprinted form signed by executors Josiah showing $800 bond that Smith and Bryant, Burwell George P. Hunter, and Williams Brooks will legally conclude their duties as administrators in the estate of George Gordenier within 6 months of December 1st, 1823.

p. 559 Cover

p. 560

At a Court held at the Surrogates Office In the Village of Little Falls in and for the County of Herkimer and State of New York, on Monday the Twenty Eighth day of February in the year of our Lord on thousand Eight hundred and Twenty five.

Present Nathaniael S. Benton Esquire Surrogate of said County.

Whereas petition of Josiah Smith and Bryant Burwell administrators of all and singular the goods, chattels and credits, which were of George Gardnenier late of the Town of Norway, in said County of Herkimer, deceased, Setting forth among other things, that the said deceased was at the time of his death seised of a real estate within the State of New York, and that his personal estate was insufficient to pay his debts; and praying the aid of the said Surrogate in the premises an Order was made by the said Surrogate on the Thirteenth day of January last past; which has been published for four weeks Successfully immediately after the granting said Order, in two of the public News-papers printed in the said State of New York, one of which is printed in the said County of Herkimer directing all persons interested in the estate of the said deceased to appear before the said Surrogate at this office in te Village of Little Falls in the county aforesaid, on the Twenty-Sixth day of February thus next asking to show cause if any they had why so much of the real estate whereof the said George Gordenier died Seised

 Should not be sold, as would be Sufficient to pay his debts, and no sufficient objections on that day having been offered or shown by John Dygert Esquire, the Guardian of Nicholas Gardenier a infant, for that purpose appointed, or by any other person or persons, and now here at this day the said Josiah Smith and Bryant Burwell administrators of the aforesaid appear before the said Surrogate: Whereupon the said Surrogate now here proceeds to hear and examine the allegations and proofs provided by the said administrators, as aforesaid and upon due examination, doth find and adjudge that the personal estate of the said George Gardenier deceased is insufficient to pay his debts and that the said administrators have applied the personal estate as set forth as the same hatte Come to their hands possession or knowledge, toward the payment of the debts of the said George Garinier deceased; and that it is necessary that the whole of the real estate where of the said George Gardenier died Seised, should be sold for the payment of his debts: And therefore, the said Surrogate doth order and direct that the whole real estate whereof the said George Gardenier died Seised, be sold for the payment of his debts. And the Said Surrogate doth further order and direct, that the said administrators do make a return of their proceedings on the above order for such sale as is above directed, to the end that the same May be examined by the said Surrogate; and of shall appear that the sale has been legally made, and all the proceedings fairly Conducted, that the said Surrogate May issue a further order confirming such sale and direct Conveyances to be made and executed for the same according to the provisions of the act entitled “An Act Relative to sakes made by order of Surrogates,” passed April 12th 1819 and that the Monies arising from said sale, after a confirmation by the said Surrogate, and the execution of the Conveyances for the same, be brought into the office of the Surrogate of the County of Herkimer to be distributed according to law.

In Testimony Whereof, I, the said Surrogate have hereunto set my hand and affixed the Seal of my office the day and year first above written and of the Independence of the United States the forty-Ninth.

 Nathaniel S. Benton Surrogate

p. 563



State of New York

Herkimer County

To wit: To Nathaniel S. Benton Surrogate of the County of Herkimer.

In pursuance of a decree or order or the Surrogate of the County of Herkimer entered of the Twenty Eighth day of February in the year of our Lord one thousand Eight hundred and Twenty five, we the subscribers administrators of the estate of George Gardenier deceased did cause a notice of which the annexed is a copy to be issued in one of the public news-papers printed I the County of Herkimer for six successive weeks as will appear by affidavit of the printer Edward M. Griffing and did also cause copies of the said notice to be affixed op in three of the most public places in the Town of Norway in the County aforesaid, according to the directions of the Statute in such case made and provided which appears by the affidavit of Josiah Smith herewith submitted. That at the time and place of sale mentioned in the said notice as caused the premises therein mentioned and whereof the said George Gardenier died Seised, to be exposed to sale at the public auction under the t\*\*\*\* conditions and incumbrances as follows; That the premises would be sold in separate parcels to wit purchasers; That same would be sold subject to the claim of the dower of the widow and relict of the Said George Gardenier deceased, and that the purchaser or purchasers should pay the cash dower for the amount of their bids for said premises at said sale; That all of the proceedings at the said sale were fairly conducted and calculated to obtain the best price for said premises with the black smith shop thereupon standing; That one half an acre parcel of the said premises were struck off to Philip P. Harter for the Sum of Sixty four dollars, he being the highest bidder therefor; and that one half an acre of land with the dwelling house and out houses thereupon standing parcel of the said premises, were sold and struck off to Frederick Mason of the town of Norway on the said County for the sum of two hundred and fifty five dollars, he being the highest bidder therefor; And that the residue of the said premises being sixty five acres, three quarters and nine rods of land more or less were struck off and sold to Dudley Smith of the town of Norway in the Said County for the Sum of six hundred dollars he being the highest bidder therefor, and that the said purchasers are ready and willing to pay the amount of the said purchase money and are ready and willing to receive deeds therefor as soon as the Surrogate of the County of Herkimer shall confirm the said sale, and authorize the administrators to execute deeds for the same. All which is respectfully submitted. Dated April 26th 1825.

Sworn to before me this 26th day Josiah Smith for

Of April A.D. 1825 himself and Bryant Burwell

N.S. Benton Surrogate administrators

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Schedule of debts and demands due from the Estate of George Gordenier February 13th A.D. 1825

George W. Doty $7.55 William H. Hurlbutt $5.80

Frederick Mason 340.05 Pardon Tillinghart 10.00

Michael Sweetman 17.51 Arch Carpenter 0.60

Sylman Freeman 59.45 Henry Tillinghart 49.89

Samuel Keith 14.61 Alad Brockett 2.13

Charles Bradley 199.18 Alanson Tyler 7.69

Nathaniel Salisbury 1.35 Elisha Huitt 0.79

Jesse Browning 1.37 Gordon Bradley 2.20

William Colvin 1.41 Ephesus Babbit 0.94

George Shraker 2.19 David D\*\*\*y 0.25

Amos Browson 0.57 Philip P. Harter 64.54

Samuel Fortune 3.47 George Weaver 15.76

Simon Fass 6.10 Henry Wilcox 5.56

Bela Norton 84.94 Charles King 8.27

Philip Jervis 2.08 Frank Burwell 2.69

Samuel Rathburn 0.38 Lyman Tyler 69.17

Samuel Waters 0.82 Bela Ward 0.75

Samuel Griswold 1.54 Adam Gray 4.80

William Bly 4.63 Augustus Frisby 4.07

Jonas Brownson 14.47 Parea Whitford 0.13

Tom Thomis 2.40 Stephen Hallett 10.88

Noble Ross 6.27 \*\*\*\*\* Roberts 22.00

Caleb Sheldon Jr. 18.98 Town of Norway 70.00

Russel Hine 0.78 Samuel Perry 23.00

Alpheus Spencer on note 7.59 unintelligible 21.29

[unintelligible] 21.93 Arnold Carpenter 3.00

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 $935.74 417.26

 935.74

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 $1353.00

p. 571

Memorandum of Accounts found de of a Settlement of the books of Geo, Gordinier Decd.

September 10, 1824

List of 96 persons to whom money is owed, totaling 284.67.

Additional notes with interest payable to specific individuals totally about $70.

p. 572

Addition return of administrators of George Gordenier

Deceased for Money received for property sold feb 26th 1825

[each item starts with “Ammt received for” and ends with “sold at public auction”]

7 poor axes $1.85

13 new axes 13.13

1 new wagon 38.00

1 sleigh 12.00

1 cook stove 23.00

2 news axes 1.55

5 poor axes 2.65

16 lb. Sleigh nails 1.15

1 old potash kittle 10.00

one half bushel \*\*\* 0.06

one wood work of wagon 13.00

difference on 2 suheels of spring wheat 0.25

Ammt recd of John English on Book account 2.73

Ammt recd of Oliver Whitford on Book account 1.37

Etc

$138.29

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State of New York Herkimer County}

Surrogate Office} To wit To Stephen Hallett and Stephen Ayres of the town of Fairfield and Henry Tillinghart of the town of Norway in the County of Herkimer aforesaid – Whereas Sally Gardenier, widow of George Gardenier late of the town of Norway in said County, deceased, has by her petition filed in this office, set forth, that she was lawfully married to the said George Gardenier her said husband died in the Second day of November A.D. 1823, and that the said George Gordenier her said husband, after her intermarriage with him as aforesaid, and before his death, was seized in his demesne as of fee of these several pieces or parcels of land lying and being in the Town of Norway aforesaid, and described as follows VIz: Beginning at the South west corner of one of the said tracts or pieces of land and runs thence north on the line of Amos Bronsons land on the north west corner of said lot to the said Brownsons land on the north, thence east along said Bronsons land and the land of Dudly Smith to the North East corner of said tract to Henry Tillinghart land, thence south on the line of said Tillingharts land to the South East Corner of said tract, thence west on Said Smiths land to the place of the beginning, estimated to contain Sixty five acres, roods and nine rods of land, and also secondly one other piece or parcel of land situated lying and being in the town and county aforesaid near the dwelling house of Charles Bradly deceased on the same side of the road, bounded on the South Side by the State road and on the other side my land owned by Josiah Smith of Norway aforesaid estimated to contain about one half an acre of land with a Blacksmith shop thereon standing; and also thirdly one other piece or parcel of land situate, lying and being in the town and County aforesaid, being the piece of land on which is situate the dwelling house where the said George Gardenier dwelt at the time of his death, bounded on the East and South by the Highway and on the west and North by land occupied by Doctor Moses Johnson estimated to contain three quarters of an acre of land together with all the privileges and appurtenances unto the said three several pieces or parcels of land belonging or in any way appertaining, and that she the said Sally hath never had her dower in the aforesaid land; and further that Dudley Smith, Frederick Mason and Philip Harter now or late of the said town of Norway were at the time of filing the said petition, severally in possession of the three aforesaid pieces or parcels of land with their appurtenances; and whereas the said Sally in her said petition did pray the Surrogate of the county of Herkimer to issue an order to three disinterested free holders of the said County of Herkimer to be by him appointed, to admeasure and lay off as speedily as might be one third part of lands as previous mentioned and described as aforesaid with the appurtenances , as her dower and third in and to the same; and where by order of the said Surrogate the said Dudley Smith, Frederick Mason and Philip P. Harter were required to appear before the said Surrogate at his office in the Village of Little Falls in the County aforesaid on the sixth day of June A.D. 1825 at Ten O’clock in the forenoon of the day to show cause if any they had why admeasure of dower should not be appointed according to the prayer of the said petition; and whence, at the time and place appointed in and by the said order before one Nathaniel C. Benton, Surrogate of the County of Herkimer aforesaid have the said Sally by her attorney duly authorized, and the said Dudley Smith, Frederick Mason and Philip P. Harter do not, nor did other of them appear before the said Surrogate at the time and place aforesaid; and whereas that it appears by due proof that said order was duly served on the said Dudley Smith, Frederick Mason and Philip P. Harter before the return day there of; and whereas no cause has been shown, why admeasure of dower should not be appointed according to the prayer of the said petitioner; Now therefore, I, the said Surrogate, do hereby order you the said Stephen Hallett, Stephen Ayres and Henry Tillinghart to admeasure and lay off as speedily as may be one third part of the said lands and premises described as aforesaid and in the said petition with the appurtenances as the said widows dower, and thirds therein according to the Statute in such case made and provided and pursuant to the prayer of the said petition.

In Testimony whereof, I have hereby set my hand and affixed my seal of office at Little Falls in said County of Herkimer this sixth day of June in the year of our Lord one thousand Eight hundred and twenty five.

 Nathaniel S. Benton Surrogate

p. 577

Three admeasurers swear oath to do their part. 9 June 1825

578-82 maps of land

583

Report of admeasurement grants 1/3 of each three parcels

Meats and bounds description of parcels

1: 65 acres based on deed executed by Conrad & Olive Spraker to George Gordinier 8/2/1819

2: based on deed from Joseph & Betsey Barstow 2/5/1813 35 perches (P.P.H.)

3: based on deed from Conrad Spraker and Roland Sears to George Gordinier 9/20/1816 16 ¾ rods

And also we have allotted and set off to the said Widow for dower aforesaid the South East Room in the front part of the Dwelling house with the Easy half of the chamber area and the East third of the Cellar with the Privileges of the stairways to and from the Cellar, and chamber, Everything from the said South East Room, the Westerly part thereof included within a line drawn from the East side of the Cellar stair way to the East side of the Kitchen Door; And also allot to the said widow as Dower aforesaid, the Privilege to Draw water for all family uses and purposes.

11/5/1825

p. 588

In the Matter of Sally Gordinier

Report on admeasurement of Dower

Filed November 26th 1825

N.S. Benton, Surrogate

p. 589

To the Hon. Nathaniel S. Benton Esquire Surrogate in & for the County of Herkimer your Petitioner Sally Gordinier widow relict of George Gordinier late of the Town of Norway in the County of Herkimer deceased beg leave to represent that she was lawfully married to the said George Gordinier in his lifetime and that he the said George Gordinier her said husband died on the second day of November 1823 and that her said husband after her intermarriage with him as aforesaid and before his death was seised in his demense as of fee of the following tracts pieces or parcels of land of Viz first of a certain tract of land situate lying & being in the town of Norway in the county aforesaid described and bounded as follows Viz: beginning at the south west corner of said tract & runs then north on he line of Amos Brouson’s land to the north west corner of said lot to said Brouson’s land on the north, thence East along said Brouson’s land & the land of Dudley Smith to the north East corner of the said tract to Henry Tillinghart’s land, thence south on the line of the said Tillinghart’s land to the South East corner of the said tract, thence West on David Smith’s land to the place of the beginning Estimated to contain sixty five acres three roods and nine rods of land together with the a….. acres thereunto belonging of which said tract and previously the said George Gordinier deceased died intestate (?) And also secondly of other piece or parcel of land and premises xxxxx lying & being in said Town and County near the dwelling house of Charles Bradley deceased on the same side of the road by the state road and on the other side by

Page 589

land owned by Josiah Smith of Norway Estimated to contain about one half an acre of land on which is situated a blacksmith shop occupied by the said George Gordinier at the time of his decease & now occupied by Philip. P. Harter with the appurtenances thereunto belonging; And also thirdly of one other piece or parcel of land situated laying or being in the said Town of Norway in said County being the piece of land on which is situate the dwelling house where the said George Gordinier dwelt at the time of his death bounded on the East & south by the highway and on the west & north by land occupied by Doct. Moses Johnson Estimated to contain three quarters of an acre together with the appurtenances there unto belonging\_\_And your petitioner further represents that she hath never had her dower in the aforesaid lands & premises that she still resides in the mansion or dwelling house aforesaid of her said husband and said that Dudley Smith is said that Frederick Mason of Norway is in possession of the said dwelling house and that Dudley Smith is in possession of the aforementioned tract of sixty five acres three roods and nine rods above first described & setforth\_\_your petitioner therefor humbly prays your honor to issue an order to three disinterested freeholders of the said County of Herkimer to be by your Honor appointed to admeasure and lay off as speadily as may be our third part of the land tenements & premises mentioned & described as aforesaid as for her dower & thirds of in and to the same lands tenements & premises; And as in duty bound your petitioner will ever pray—Dated May 9th 1825

Sally [her mark] Gordinier

Witness Hiram Nolton

Page 591

To Philip P. Harder, Dudley Smith & Frederick Mason you will please to take notice that in the petition of Sally Gordinier relict & widow of George Gordinier late of the town of Norway deceased with a Copy of which you are herewith respectively served, she will xxxxx the Hon. Nathaniel L. Benton Esquire Surrogate in & for the County of Herkimer on the twenty fifth day of May instant at ten o’Clock in the forenoon of that day at his office in the village of Little Falls in said County to issue an order to three disinterested freeholders of the said County to be by him appointed to admeasure & lay off as speadily as may be one third part of the land tenements & premises mentioned and described in her said petition hereto annexed as for her dower & thirds of in xxxx said lands tenements & premises.

 Dates May 9th 1825

 Sally [her mark] Gordinier

 Witness Hiram Nolton

We admit due service of a Copy of the annexed petition & notice of Sally Gordinier on each of us made this 9th May 1825 & that the length of time is sufficient for the service of said petition & notice for the hearing thereof on the 25th May inst before the Surrogate.

 Philip P. Harter

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[the outer folded part of the petition]

In Surrogate Court

In the matter of dower in the lands of George Gardenier deceased.

Filed May 25th 1825

N.S. Benton

Surrogate

Page 593

The people of the State of New York, by the Grace of God. Free and Independent.

To all to whom these presents shall come or may concern and specially to Philip P. Harter, Dudley Smith, and Frederick Mason, Tenants in possession of the lands late of George Gardinier deceased, xxxx Greeting. You are hereby cited and required personally to be and appear before our Surrogate of our County of Herkimer at the Surrogate office in the Village of Little Falls on the Sixth day of June next at Ten O’clock in the forenoon of that day, to show cause why dower of and in the lands now in your possession in the town of Norway in the County of Herkimer, and which were formerly the property of the said George Gardenier deceased intestate in the said Town of Norway should not be granted set off and admeasured to the widow of the said George Gardinier deceased, according to the prayer of the petitioner and hereof fail not.

In Testimony, whereof, we have caused the seal of office of our said Surrogate to be hereunto affixed. Witness Nathaniel S. Benton, Surrogate of the said County at Herkimer this twenty fifth day of May in the year of our Lord one thousand Eight Hundred and twenty five, and of our Independence the forty-ninth.

 N.S. Benton Surrogate

Herkimer County I Aleijah Warren Jr being duly sworn doth say that on the fourth day of June 1825 I personally served the forgoing citation on Frederick Mason Philip P, Harter & Dudley Smith by reading the same to each of them & at the same time shewing them the seal thereto affixed & further witness.

Subscribed & Sworn A. Warren Jr

To the 6th June 1825

Hiram Nolton First Judge

Page 594

In Surrogate Court

Om the matter of

Dower in the land of

George Gardenier Deceased

Citation

Filed June 6th 1825

N.S. Benton

Surrogate

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Commissioners bill for Services in Seting off the Widow Sally Gordeners right of Dower—

9th 10th June 1825 Surveying two day 4—00

to going to Meet H. Tillinggard to Divide and mark the House 1—00

to Drawing Maps 1—00

to going to resurvey ½ acre lot 1—0

to attending at H. Knoltons to make a report 1—00

 Stephen Ayres 8—00

 Henry Tillinghart 3—00

 Stephen Hallett 5—00

 Total 16—00

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Justice Court

Nicholas Gardenier by April 8th 1825

Laura Vanderburgh his Chairman A. Lurtice

Next kind Warrant Fucks, Christopher

vs Lours, Hugh Potter, Eli Ray-

Jannke Smith mond, Bradly E Marshall,

 Levi Beardly --- Jurors

Testimony

Sarah Gordenier Sworn – Uncle A. Gordenier gave Pett one Sheep and keep it till it was a xxxxxx – Then Gordenier sold the Sheep – Pett – made a fuss – then Gordenier bot a colt and Gordenier and Pett traded for the colt in question – Gordenier told Pett if the colt xxxxxx paid for. Was a year before he died Gordenier away the black colt for a yoke of Oxen – the trade was made between them before the trade for the oxen – xxxxxx keep the sheep about sometime – both colts were kept in the farm where Gordenier lived – Nicholas never paid any thing for keeping the colts.

The sheep were put out to Mr. Runnels for a pound of wool a head – the wool for the xxx of the sheep was paid and it was and in the family. And to when Hess had them - - - Mr. Hess has Eight Sheep, which were Petts.

Catherine Harter – sworn – Hess had seven or Eight sheep which belonged to Pett. Gordenier sold the sheep then and after the fact was known a xxxx way made and Gordenier bot a black colt of Mason for Pett – when the colt was three years old Gordenier and Nicholas swapped colts and Pett had the one roan colt in question – the colts were kept on the farm where Gordenier lived – the wool for the care [end of page with no clear continuation]

Page 605

Sale 11/25/1815 Trustees of the Norway Calvary Society deed to George Gordenier for $69 PEW or SEAT eleven on the ground floor of “the new Church lately erected at Norway”

Page 606

Notice of auction of estate of George Gordenier Decd. “consisting of various utensils of household furniture and farming utensils “ 2nd day of March next at house of Josiah Smith.

Page 607

Justice Court

Nicholas Gardenier by his }

Next friend John Van – }

derburgh }

vs }

Josiah Smith }

It is hereby Stipulated and agreed between the parties to this suit by their attorneys that in case the Defendant shall appeal this case within the time limited by law, that the same shall and may be \*\*\*t to a trail at the May Term of the Herkimer Common Pleas to be held at the Court House in Herkimer on the first Monday of May 1825. an notice of trial by either party. Date April 8th 1825.

 N.S. Benton Atty for Deft

 H. Nolton Atty for Pett

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2/26/1825

Surrogate Court order acknowledging that the administrators of the estate of Geo. G. have found his funds insufficient to pay his debts, then appoints John Dygertof Little Falls the legal Guardian of Nicholas Gordenier “an infant child.” N.S. Benton Surrogate

page 614

statement in animal case that Caty paid GG $30 rent on land in both spring of 1822 and of 1823

Page 615

List of legal feels totaling $35

619

Advert printed in weekly The People's Friend of Little Falls

635-37

Accounts paid

639-641   Notes collectible

652  estate expenses

Oneida Observer

654 income in large amounts

660 stuff bought, mostly cloth

673-74  estate income in large amts

680

Account Book of merchant

12/10/1817 6 Bushel of turnups 1.88

2/16/1817 3 thousand shingles 6.00

2/10/1818 Cash 0.50

1/26/1819 1 & ½ Bushel salt 1.50

6/12/1820 2 thousand shingles 3.50

6/10/1822 4 hundred foot of Boards 3.00

3/20/1823 walnut timber 9.13

one dollar allowed per mistake in charging on ledger book

Harvery Van Ess

684 some form of ledger book

1819

March 8th To Shoeing Sloan Horses for Uncle 0 8 0

8th Harness Buckles & C 0 8 0

8th Jumping axe for Parish 0 8 0

8th Shoeing Horse of dunglock P. Tillinghart 1 1 0

25th To Jumping axe for Duboyes 0 8 0

30th To Baling a Kettle 0 3 0

30th Paid to Jessie Sun….

April 2nd To Fairechilds account Caried Over

2nd To John Smawlieys account 0 0 0

14th To Mending a bolt for a Plough 0 2 0

23rd 7 ½ wt of Sugar from Jas 0 7 0

24th 16 wt of Veal 0 5 0

May 25th To my share of Jorminy Saml \*\*\*\*\*\* 0 0 0

June 4th 4th share of Amos Ives 0 4 0

August 16th 8th of Sugar from Amos Ives 0 8 0

16th Shoeing Horse 0 8 0

October 5th To Thomas English AAccount 0 6 6

Sept. 30th Shoeing Horse 0 2 0

30th from Mr. Chisley for Fish 0 2 0

Novm 2d Shoeing Shorakers Horses 1 1 0

Dec 7th Shoeing Horse 0 5 0

27th John P. Wooleur account 1 1 0

January 24th Recd of Moses Gage 0 5 0

24th to Caleb Sheldon’s account 7 12 9

24th To Faber Greens account 0 12 0

24th To part of Thomas Comstocks account 0 2 0

24th To Updike Pulmans account 1 1 6

700-714 accounts owed to G.G.

716

11/28/1823

Renunciation of right of administration by Sally G., Catherine Harter, Margaret Hess, specifically naming the later two as next of kin. In favor of Josiah Smith and Bryant Burwell.

722

G.G. to George W. Doty

To use of wagon to Albany and Little Falls 2.50

4 weeks pasturing 2 horses 2.00

724-25 Physicians Bill – worth going over.

727 legal fees

729-742 goods and booze ledger to Charles Bradley

744-764 Estate of GG due to Frederick Mason goods and booze from 1815