

John Leek Will – May 5, 1777

[transcribed by Peter H. Stemmer from the recorded copy on microfilm at the New Jersey State Archives]

In the Name of God Amen I John Leek of little Egg harbour in the County of Burlington in the Western Division of New Jersey yeoman I do this fifth day of May in the Year of Our Lord One Thousand Seven hundred and Seventy Seven being at this time under Several Decays of Body But of perfect Mind & Memory thank be to God Therefor and Calling to Mind the Mortality of this my frail Body & not knowing when or how it will please God to Call me hence & firmly believing it appointed for all Man once to Die I do by these presents make & Ordain this my last Will and Testament that is to Say principally & first of all I Give and Recommend my Soul into the Hands of God that gave it & as for my Body I recommend to the Earth to be buried in a Christian like Manner at the descretion of my Executors or Other(?) but there to rest In Expectation that Almighty God is Able to raise it again at the last day and as touching the several priviledges & propertys as it has pleased God to Bless me with in this World's Goods hereafter mentioned I now give and Dispose of in the following Manner & form Viz Imprimis It is my Will and I do Order that all my Just debts be paid and funeral charges Satisfied Item I give and Bequeath unto Phebe my Wedded Wife for and During her natural Life in this World after my Just debts is paid I give her as aforesaid the equal third part of my Moveable Estate Such as Household Goods farming Utencils Cattle Horses Sheep the several sorts of Tools water Craft that is the third part thereof with the use rents or income of all my Lands Not Sold. Also the rents of the Meadows & fishery In _____ of _____ During her Natural Life as aforesaid Cedar Swamps Excepted with Phebe my wife her being at the Cost and Charges to keep & Maintain the Banks in as Good Order & repair as I leave its and all which Dower as abovesaid which I leave given to my Wife Phebe I hereby Order my Exector or Executors to pay to my Wife Phebe her third part of my Moveable Goods at the time that my Moveable Estate is Appraised at the Appraisement Value and likewise those other two thirds of my Goods to be disposed of at the appraisement Value to be paid unto my son John Leak Junr, my Daughters Phebe Mathis & Mary Sooy in their several Legacies as hereafter Described provided that Phebe my Wife will agree and my Children will agree with my Executor or Executors In that Case I order my Estate Except Such Certain part of my Goods as I shall give & bequeath to my Children and when Sold and the Money Collected I order my Executors to pay my Wife Phebe for her daily Support during her Natural Life and tom pay within one Year from the Sail of my Goods & Several Legacies hereafter mentioned I likewise Order my Executor or Executors In Case my Wife Should have a desire to live the remainder of her days in my now Dwelling House or a part of it I hereby Order my Executor or Executors as they Apprehend will be best for the promise for the future provided they Can lease out my Now Dwelling House & homestead or such parts with my Wife having such priviledges as you can Agree and to cut no fire wood but which is cut of Oak or pine North Eastward of my Eastward Field and Hallow toward Ives Bridge but I order my Executor or Executors to Lease this Homestead out to any Except the persons will give good Security that he will not keep a typling House Nor retale by Sale any Liquor in Measure under a Quart my other Land Meadow as I have given the rents as aforesaid to my Wife Phebe I Order them to Lease at the Descretion of my Executors Insoever Order my Executors that if my Wife Phebe Should die before my Grandson John Leek Comes of Age to Lease out my _____ homestead and all rents given to my Grandson John Leek Item I give and Bequeath unto my Son John Leek Junr and to his Heirs and Assigns forever all that Lot of Cedar Swamp and Marsh I bought of Joshua & Samuel Bellingees that I have not Sold lying at the Head of Turtle Creek on the East Side of Said Creek Item I give and Bequeath unto my Son John Leek junr and to his Heirs forever But not to his Assigns Some other Lots and parcels of Land lying Situate in Several parcels of Little Eggharbour and nearby the One that I give with Equal Sixth part of fivre Lots or parcels of Land that I purchased of Hananiah Gaunt which I hold in partnership with Jacob Falkinburgh, Richard Osborn, John & Robert Ridgways. I likewise Give and Bequeath unto my Son John Leek Junr and to his Heirs for Ever another Small Lott of Cedar Swamp I purchased of Caleb Carr lying Situate between John Mathiss (?)20 Acre Cedar Swamp & his 22 acre & 1/2 up Tranquility with another Lot lying Situated on the philadelphia Road opposit to Mathises landing on the wide place on wading river moreover I give and Bequeath to my Son John Leek Junr fifteen pounds proclamation Money to be _____ and of my Moveable Estates and paid by my Executors Except my Son John will be willing to take goods at the Appraisement Value at the time of the Appraisement and Discharge the Executors I Give my Son John Leek Junr. my Great Bibles all which Lands Money and Goods I give and Bequeath unto my Son John Leek in Lieu of his Worship and Birth right of Inheretances so that my Son John Leek Junr may not for the future lay any Claim Challenge or Demand on any part or parcel of what I hereafter Shall will and Bequeath to my other Children and Grand Childen. I give and Bequeath to my Daughter Phebe Maathis twenty Shillings and my _____ Book to be paid her by my Executor Item I Give & Bequeath unto my two Grand Sons Samuel Leek and William Leek and to their Heirs for Ever these two Grand Sons are Sons of John Leek Junr to which Said Samuel & William Leeks I give as aforesaid all my Lands lying Situate in that part of Little Egg harbour South East and of and Easterly branch branch of Wading river Called Willises Creek and Marygold Creek & Swamp and Same joining the North East Sides of

Wading river and by the South East Side of Said Willis Creek with the Oake Island with another Lott of Meadows being an Island of Maesh opposite the Mouth of Marigold Creek lying Mainly on the west side of Wading river Together with two Equal Third parts of a Lott of salt Marsh lying at the Mouth of Wading river and so Joining the Easterly Side of Little Egg harbour river and so Down to the Mouth of forked Creek with the Equal two thirds of all my Cedar Swamp that lyes in Several Surveyys adjoining the Westerly Side of Turtle Creek Neck all in Little Egg harbour aforesaid. *Item.* I give and bequeath unto the several inhabitants of Wading River and Bass River in Little Egg Harbour, and to their heirs forever, they being Presbyterians, for the use of the Presbyterian Meeting House and burial Ground, one certain lot of land, containing sixty-five perches, butted and bounded as followeth: northwesterly from Willis creek about seven or eight chains from an old footway across said Willis Creek on an Old Beaver Dam, beginning at a young white oak marked on four sides and extends 1st south thirty-six degrees two chains and sixteen links to a stump, about a perch from the meeting house; 2nd north thirty -three degrees east one chain and ninety-five links to a white oak; then 3rd north thirty-two degrees and a half west one chain and fifty links; then 4th To the beginning. All which sixty-five perches of land and meeting house and burial ground for the use of a Meeting House for Presbyterians to carry on the worship of God in. But in case it should so happen in the process of time, that there should be a vacancy when there is no Presbyterian minister or other person set apart to carry on the worship of God, in said meeting house by said Presbyterians, in that case it is my will that any Protestant minister of any society that is well recommended by the society they belong to, to have the liberty to preach in said meeting house, until the Presbyterians can be enabled to carry on the worship of God in said meeting house themselves; and it is my desire that the Presbyterians belonging to said meeting house, when there is a vacancy as aforesaid, that they lovingly receive those of other societies that come to minister in said house with Christian love and forbearance as much as possible. I give and bequeath to my Daughter Mary Sooy twenty Shillings & _____ Reynolds Vollin(?) of Divenity(?) to be paid her by my Executors. *Item* I give & Bequeath unto my Grandson John Leek & Son of John Leek Junr _____ I give to my _____ Grandson John Leek aforesaid and to his Heirs for Ever after the Death of my Wife Phebe to be taken unto Immediate possession by my Executors and Lease Out for the Benefit of my said Grandson John Leek if he should be Under Age and not Else(?) I hereby Will & Bequeath as aforesaid my now Dwelling House Barn Orchard and fenses Buildings & Lands Lying and being Situate & Coming on the Easterly Side of Wading River & Westerly Side of Willesees Creek butted and Bounded Beginning at a Cedar Corner to Land I gave my son John Leek Junr which stands about five or six chains North westerly above my Wharf at a point of Cedar Swamp Marsh & Extended Easterly along the line I gave to John Leek Junr about four or five Chains to a Black Oak marker and from thence in the line of John Leek Junr Northerly by the end of my fence about four chains to a white Oak Marker thence along East until it strikes the little Slough and from thence on a Straight line untill it Comes to a Stone Corner in _____ ground of the Long Slough towards Ives Bridge Said Stone is Corner to my Ninty Acre Servey and from said Stone Square of to Willesees Creek about four Chains thence down Willesees Creek to the Mouth then up the River as my Survey Runs to the Beginning within which Bounds Lays about gfive Acres belonging to John Ridgway and _____ above Sixty Square perches as above said at the Meeting House all the remainder as above said Bounds as I give and Bequeath unto my said Grandson John Leek and to his Heirs for Ever an Equal third part of my Lots of Meadows at the Mouth of forked Creek and so a Cross to the Ditch at Wading river to be Equally Divided Between my said Grand Children Samuel John & William Leeks the whole of the Survey Each a third part. I give and Bequeath unto my Grandson John Leek and his Heirs for Ever an Equal third part of all my Cedar Swamp Survey lying on the Westerly Side of Turtle Creek Neck all which as above said I have given to my aforesaid Grand Children and it is my Will and I do Order In Case any should die before they arive to the Age of Twenty One or be able to make their Wills that what I have Bequeathed to that One that died his part Shall be Divided between his Surviving Brothers provided that they die without having _____ And _____ aforesaid Meadow that lyes at the Mouth of Wading River and so down to the Mouth of Forked Creek and the Cedar Swamp Lotts on the Back Side of Turtle Creek Neck is divided between Samuel John & William Leeks as they can agree to bid for the choice of Lotts by Virtue of first Choice to be paid to the Other two and the next Choice to the other one Choice _____ if Phebe my Wife should live in a frugal manner after my Death to Expend her Equal third part of my Moveable estate to maintain her then I order my Executors Saml. Recompence or Nathan Leeks all of _____ land or in Case of their Deaths or any one or two of them whom I Hereby Ordain Order and Appoint my Lawful Executors of this my last Will and Testament that in Case my Wife Comes to want more Daily Subsistance and there should by any Over _____ moneys Arising from my Moveable Estate I Order my Executors aforesaid to Advance said Over _____ money for her Daily Necessity During her Natural Life and after that if any Over _____ money remains I Order my Executors to Divide it Equally Between my Son John Leek Senr & our Daughters Phebe Mary Martha & Aschah Leek _____. I give and Bequeath unto my Grand Son George Washington Leek two Lotts of Land lying Situate at a pine Just below the Iron _____ on hay Landing on Wading River and _____ to just above the mouth

of Beaver run containing about Sixty Acres & another small Lott up Beaver Run about two or three acres to my Grandson and his Heir for Ever and Lastly I do hereby _____ Revoke & Disanull all and every other Will or Wills or Bequeathments at any time before this time made Willed or made of all Other or former Executors or _____ Ratifying and Confirming this will and no Other to be my last Will & Testament According to the _____ Intent. IN WITNESS Whereof I hereunto Set my Hand and Seal this fifth Day of May 1777 ~ John Leek (LS) [Seal] Signed Sealed Published pronounced and Declared b7 the said John Leek as his last Will and Testament. In presence of us the Subscribers Lewis Darnell, Grace Darnell, Hannah Darnell _____ Lewis Darnell and Grace Darnell two of the Witnesses to the written Will having Affrmed & Declared on the Holy Evangelist of Almighty God doth Severally Affirm & Say that they aand Each of them saw John Leek the Testator therein named Sign and Seal the Same and heard him publish pronounce and Declare the written Writing to be his last Will and Testament and that at this doing thereof the said Testator was of Sound and Disposing Mind and Memory as far as these Deponents know and as they Verly(?) believe and that Hannah Darnell the other Subscribing Evidence was present at the same time and Signed her Name as Witness to the Said Will together with these Disonants in the presence of the said Testator ~ Lewis Darnel ~ Grace Darnel ~ Affirmed at _____ the 26th day of August 1777 _____ Before Me Joseph Ball Surrogate

The foregoing will being proved probate was Granted by this Excellency Gov. Livingston unto Recompense & Nathan Leek Executors in the said Will named being first Sworn will and truly to perform the Same exhibit or true Inventory & under a true Acct. when under the prorogative Seal the day & year Aforesaid.

Cha Pettit Reg