

Turhand Kirtland's Last Will and Testament

(Compiled by Ted Hine – February 2015)

The following Last Will and Testament of Turhand Kirtland was published in "Township 1, Range 1 – Our Western Frontier – Poland Township History", a booklet commemorating the Poland Township Bicentennial 1796-1996.

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Last Will and Testament)

Of)

Turhand Kirtland)

Trumbull County Record of
Wills, Volume 1, page 155.

Dated October 20th, 1827.

Probated December 3rd, 1844.

To All persons whom it may concern, be it known, that I, Turhand Kirtland, of Poland in Trumbull County and State of Ohio, this 25th day of October, 1827, do make and declare this to be my last will and testament, as follows, to-wit:-

After my debts are paid, I give and bequeath to my wife, Polly the choice of my horse kind and side saddle and bridle, best bed and furniture, one set of chairs, one table, one stand, two chests, one pot kettle and tea kettle, best sett of table furniture, one looking glass, one pair tongs, peal and andirons, frying pan, grid iron and warming pan, and one years provisions, to be her own property forever, and further during her life, the use or profits of one third of my dwelling house and other buildings belonging to the same, and of all the lands and improvements I owned lying East of Yellow Creek, South of the Pittsburgh Road and West of New Lisbon road to Burgess land: also I give and bequeath to my said wife two dollars per week during life to be paid her by my executors out of my estate, to be paid half yearly.

2d. I give and bequeath to the three children of my daughter Mary Beach Hall, deceased, viz:- Polly, Turhand Kirtland and Lucy, the following tract of land, situate in Township #5 in 16" Range in County of Lorain (Called Eaton) to bound South on the South line of the Township, East on the North and South center line to extend West and North one mile and one-half, which together with what I gave sd daughter as seting out at or after her marriage is to be in full all claims sd children are ever to have as heirs of my estate, and my will is that if all the aforementioned children decease without lawful issue, the land is to revert back to my four sons hereafter to be named.

3d. I give and bequeath to the three children of my daughter Nancy Morse, deceased, the following described lands, viz:- all mu right in about 320 acres of land in Boardman, bought of James McLallen, also all the land I own in Poland, bought of Dunlap, bounded North by Reed and Henry, West by Youngstown road, South by the East and West Center road and East by the old furnace Road, to opposite the North-West corner of land owned by Michael Rayn: thence crossing said road to Yellow Crick: thence down sd crick to Reeds land, with all the appurtenances, (to be with what I have before given to my sd daughter by way of seting out at and since her marriage in full of all claims sd heirs or their representatives shall ever have to my estate) with this express condition that if all the three children decease without lawful issue, the land to revert back and vest in my four sons hereafter to be named.

And 4th. All the residue of my estate, both real and personal my will is that it be equally divided between my four sons, Jared Potter, Henry Turhand, Billious and George, and if any of my four sons should decease without lawful issue, their _____ of every kind of my estate is to vest equally with my other sons or their lawful issue, and what each son has received in advance is to be taken into account (without interest) viz:- Jared Potter is to be charged twenty-five hundred dollars for what money I have advanced him, and what he has recd. from the estate of Jack John of Wallingford, deceased, besides what accounts I have charged on my book now unsettled since the 20th. of January, 1824. Also sd. Jared Potter is to have all the farm on which this dwelling house stands in Boardman, bounded North on the East and West center road, West by Nathaniel Blakslee. South and East by Richard H. Hall, supposed to contain one hundred twenty acres, to charge to him at fifteen dollars pr acre. Also the land on the North side of Center road, East by Youngstown road, North by James Phillips and West by Isaac Blackmans at fifteen dollars pr. And also a tract of land South of Nathaniel Blaksleys and West of Richard H. Halls lands, suppose to contain sixty-four and half acres to be charged to him at seven dollars pr. acre. And if sd Jared Potter shall hereafter receive a larger sum from his grandmother Potter than my other sons, it is to be taken into account so as to make them all equal.

5th. My son Henry Kirtland is to be charged three thousand dollars for money charged to him before the 4th. of June, 1825, to be as part of his share and is to have all the lands I own in Poland and Boardman East of Yellow Crick South of the Pittsburgh Road, East by Campbells, Riley and Dunlop and South by Burgisses, part of which is incumbered by the widows right of dower and is to be charged to him at fifteen dollars pr. acre.

6th. Billious having relinquished his studies, my will is that he be charged three hundred dollars as part of his share of my estate for monies expended in preparing him for college, My will is that my bank stock be equally divided between my four sons, and I hereby enjoin and order my sons Billious and George and the children of my daughter Mary Beach Hall and Nancy Moss, or their Guardian, execute bonds to secure Jared Potter Kirtland against a bond he gave Thaddeus Cook of Wallingford, for a deed of land given by will of Jack John of Wallingford, to my wife and children, which I directed him to sell and for the avails of which he is charged in this will: which bond is to be executed before they have legal possession of the above bequests. Also I hereby fully empower my Executors to carry into comleat efforts all contracts that I have unsettled by making deeds, receipts, discharge in as ample a manner as I myself could do were I living and present and further if my ececutors shall find it for the benefit of the family to have any of my lands sold or contracts changed, they are hereby fully authorized to do same by making deed or any necessary writings.

And lastly, I do hereby appoint my two sons Jared Potter and Henry Turhand Kirtland, Executors of this my last Will and Testament.

In re Estate)
)
 of)
)
 Turhand Kirtland.)

Trumbull County Probate
 Court.
 Administration Docket 1,
 Page 229.

Oct. Term, 1884. Will produced in Court. Handwriting of Jared Kirtland, one of the subscribing witness proved by the oath of James Hezlep. Commission issued to Mordical Barley, and John Sloan, of Richland County, Ohio, to take the testimony of said T. W. Burr, touching the execution of said will October 31", 1844. Commission returned November 15", 1844.

Dec. 3", 1844. Will admitted to Probate and recorded in Will Record 1, page 155. Jared P> Kirtland and Henry T. Kirtland, Executors.

Dec. 11", 1844. Bond filed and letters issued.

Feb. 11", 1845. Inventory filed and recorded in Old Probate record 13, page 331.

Costs paid.