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1° This last will and testament of Benjamin Chaplin of Mansfield in the state of Connecticut this twentieth day of May AD. 1790. Witnesseth that I the said Benjamin Chaplin being of sound and disposing mind and memory; yet calling to mind my mortality, that it is appointed unto men once to die: do make and ordain this my last will and testament as followeth. Viz.

First my will is that my body be decently buried by executrix hereafter named.

2° My is that all my just debts be paid by executrix hereafter named.

3° My will is and I here by give and bequeath unto my well beloved wife Mary Chaplin (if she survive me my widdow, third part of my per

[cut off] to be hers forever, excepting £ 100

[cut off] the proceeds of the land which

[cut off] Daniel Lathrop if said land is

[cut off] decease, and so much other or the

[cut off] to be taken out previous

[cut off] thirds

[cut off] the use and improvement

[cut off] land, with the buildings

[cut off] life viz. Beginning

[cut off] in the mowing, sixty

[cut off] 40' E. from the S. E. cor

[cut off] house. Thence W. 26° N.

[cut off] slate and heap of stones,

[cut off] two rods to a black

[cut off] it. Thence

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N°. about 11° E. one hundred and seventy eight rods, by a white oak tree marked also a chestnut tree marked to a heap of stones about one rod E. of a small run of water. Thence E. 24° N. sixty six rods to a heap of stones on the east side of a large rock, four rods and a half W. of a brook. Thence N. 1° W. thirty three rods to a heap of stones, two feet west of said brook. Thence N. 14° E. fifty four rods to a small white oak tree with stones about it. Thence E. 1° S. seventy eight rods to a heap of stones one rod east of a brook. Thence north one hundred rods to heap of stones. Thence E. about sixty six rods to land of Uriel Moseley. Thence southerly by said Moseley's land, and land of Solomon Robens, land of Nath(an) Moseley's, Wells's land, and land of said Robens again, to Natchaug River. Thence southerly, by said river, till it comes to a bridge over said river standing in the road leading from Mansfield to Hampton. Then over said bridge to the S. easterly corner. Thence easterly by said road about twenty four rods to land I gave to my late son Benjamin Chaplin deceased. Thence southerly by said land till it comes to said river, thence turning and running up stream in said river till it come

to where a line running W. 20° N. will strike said white oak. The first mentioned bounds; then on said line about forty four rods to said first mentioned bounds.

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And it abuts on my other lands in all places where it is not above expressed otherwise, and contains about two hundred and seventy eight acres. be the same more or less.

Always reserving the road as laid out through the premises leading from Mansfield to Hampton also a road two rods and a quarter wide leading to Moseley's mill. Also a road two rods and a quarter wide leading to Ashford to be laid out near the house Daniel Preston lives in and to fall into the road leading by Boutels to Ashford mee(t)inghouse.

5° I also give unto her one third part of the fruit every year during her natural life which shall grow on all sorts of fruit trees in my young orchard about half a mile northerly from my dwelling house.

6° My will is that my said Widdow holding and improving said lands as afforesaid shall if the person or persons who have the disposal of my grandson Benjamin Chaplin while he is between the age of fourteen and eighteen years will send him to a grammar school three months in a winter three years successively where she my said widdow shall choose and direct she shall give him said nine months schooling and boarding.

7° Also my will is that she my said Widdow having

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the use of said lands as afforesaid shall expend on my grandson Jonathan Edwards Chaplin in giving him an education so much as shall be equal to one half the cost of giving the said Jonathan a good liberal education, provided the one half does not exceed one hundred and fifty pounds, and provided his Mother or any other person who has the care of said Jonathan between the age of fourteen and twenty one years shall put him to learning where and in the manner my Widdow if living shall direct; or if she is not living, it shall be according to the direction of her successor as executor, and it shall be so as to have his college education completed within that time; and also provided the said Jonathans Mother or other person shall pay the other half of the expense of said Jonathans education from

time to time as shall be needed and called for.
8° And my Will further is, that if my Widdow should decease before all said matters are completed respecting the Education of my said grand children whoever shall be executor of, or administrator on this Will shall take the care of the Lands and Buildings hereby set to the Use of my Wife and shall apply the profits of said Estate to the Education of said children as aforesaid, and have the same right of choosing [cut off]

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Directing their Education which is above ordered for my Widdow to have.

9° And if said Jonathan should not expend the whole of said £ 150 for the one half of his Education as aforesaid, the remainder thereof shall be given to him when he shall be 21 years old to be his forever; provided also, that if by any means the said Jonathan shall not have Liberal Education as aforesaid he shall have paid him by my Executrix out of the profits of said land as aforesaid £ 25

in Money and the ammount of another £ 25 in a good saddle horse, and neat stock when he arrives to age of 21 years; and when he arrives to the age of 22 years he shall have another £ 25 in money and the amount of £ 25. in neat stock by my Exec. as aforesaid.

10° And My Will also is that if my Widdow should decease before my said grand children should arrive to the Age of 21 years; my Exec. shall take the care of said lands as aforesaid and save the profits of them till the first Day of April next after my said grandson Benjamin Chaplin arrives to the age of 21 years, at which time my Will is, and I give and bequeathe unto him my said grandson Benjamin Chaplin, two thirds for quantity and quality of the Lands and Buildings above described and given for the use of my Widdow (if she should then be deceased) but if she should be living

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when he arrives to the age of 21 years, it shall not be his till her decease; when viz. at either of said periods, as the case may be, he shall have said two thirds to be his, his Heirs and Assigns forever.

11° And My Exec. shall continue to take care of the other third of said Lands and Buildings (if my Widdow shall be deceased, and Benjamin is 21 years old) until my grandson Jonathan Edwards Chaplin, shall arrive to the

age of 21 years, when My Will is, and thereby give and bequeathe said other third of said Lands and Buildings to him my said grandson Jonathan, saving that if my Widdow shall be then living it shall not be his till her decease, at either of which periods as the case may be, he my said Grandson Jonathan shall have said third of said Lands & Buildings to be his, his Heirs and Assigns forever.

12° Furthermore I give my said grandson Benjamin Chaplin the first Day of April after he shall arrive to the age of 21 years, the ammount of £ 33 in a good saddle Horse a middling good yoak of oxen, two good cows with their calves, & ten sheep be delivered unto him by my exec. out of the profets, if the profits of said Lands before that time should ammount to that, more than the use of my Widdow educating said children making proper repairs and paying the exec. by the way for his trouble in taking care of it.

13° My Will also is, that my surveying instruments as were my Father Benjamin Chaplin's be given to my grandson Benjamin Chaplin when he arrives to the age of 21 years to be his forever.

14° Further my Will is that if there should be any remainder of the profits of said Lands after all the devises of supporting my Widdow, educating said children, Legacies to their repairs and exec's pay above mentioned are satisfied; that such remainder shall be equally divided to and among my five Daughters or their Heirs, to be theirs forever.

15° Also my will is, that if either of my grandchildren above mentioned should die without lawful issue before the times I have ordered. Estate to be settled upon him, all that I have above devised to such one that may so decease shall be equally divided to and among all my five Daughters or their Heirs together with the survivors of said Grandchildren recognizing him as one equal with a daughter, and shall be set to them at the time when he the grandchild is by the above devises to become seized of what I have given to him, to be his and theirs their Heirs and Assigns forever.

16° And if both said Grandchildren should die without lawful issue before the time above set for settling Estate upon them the whole of the deal stated above ordered to them shall be set in equal share

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to my five Daughters or their Heirs to be theirs, their Heirs and Assigns forever.

17° And what personal Estate I have above ordered for said grandsons shall if they both so decease be given

two thirds of it to my grandson Timothy Edwards Chaplin and the other third to my granddaughter Mahetabel Chaplin or their Heirs if they should be deceased; and have lawful issue at the time when the Estate is above ordered to be delivered to the above named Jonathan.

18° And if either or both said Timothy or Mahetabel should die without lawful issue before said time such Estate so ordered to the Deceased, either or both shall go to my five Daughters or their Heirs in equal shares to be theirs forever.

19° And the reason why I have given no more to the said Timothy and Mahetabel is, because my deceased son gave them nearly all the Estate I had given unto him.

20° Further my Will is that while said Land is in the use of my Widdow or under the care of an Exec. there shall be no Hill Land plowed up, nor any more Wood or timber cut than necessary for fires, [cut off] and making repairs on the farm, and the wood shall be chiefly brought from the wood lot farthest north, and as much as conveniently may b[cut off] to the wood that is decaying; and none that is wood land at my Decease shall be cleared up while the Land is in the Hands of my Widdow or Exec.

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And my Will is that the Buildings shall be kept in repair during said term extraordinary casualties excepted.

21° Furthermore my Will is that if there should be a corporate society for the support of the publick worship of God according to the Faith and practices of the Churches now known and Distinguished by the Denomination of Congregational Churches in New England, the place of publick Worship within one mile and a quarter of my now Dwelling House and in what is now Mansfield, before the first Day of January 1812. There shall be given to such Incorporation, Delivered be Exec the ammount of £ 300 viz. £ 100 of State

Note, and £ 200 of other Notes against spon- sible persons, none of those private Notes shall be less than £ 5 provided that if the state should call in said securities, or it should otherwise be for- most convenient to omit puting in said state se- curity, there shall be £ 50 good private security put in, in lieu of said £ 100 state notes, which Estate shall be committed to such incorporation

so much principle to commence interest at the time there begins to be preaching as afforesaid at the expense of such incorporation. And my Will is, that such Incorporation fund said Estate so that it may be safe and permanent, and apply the

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annual interest of it toward the support of a learned Minister professing and preaching the Doctrines of the Gospel according as they are explained in the Westminster Confession of Faith in such society with in the Distance from my House above expressed, provided also, that such preaching shall be kept up steadily. that is to say, there shall be at least forty sabbaths such preaching in a year in order to be Deemed steady preaching.

22° And if such society should any year after said Estate is committed to them as above neglect having steady preaching as afforesaid, the Annual Interest of said Estate shall belong to my Heirs who shall have right by virtue of this my Will, to demand and recover the same of such society provided also that if after there shall be such an incorporation, and said Estate committed thereto as afforesaid, they shall neglect keeping up steady preaching, as above described for the space of seven years successively; or should apply the said Estate or interest or any part of it to any other purpose than what I have above assigned it for, or if such incorporation should be parted into divers parishes, or be so varied that the place of publick worship, should be out of the above Limits or description, in either case said Estate the principal and Interest which shall have arisen upon it and not applied the support

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support of publick Worship as above, shall return to my Heirs to be theirs forever.

23° And in order that there may be a proper foundation for the reversion of said Estate if misapplied or neglected as afforesaid, my Executrix or Executor, when he commits said Estate to such Incorporation shall take a receipt of the Committee of the corporation, trustees or whatever they be denominated, who are the proper persons to receive and take care of said Estate for the purposes afforesaid, expressing in the receipt what they receive of my exec, and that they engage for themselves and successors in truth, in behalf of the incorporation to improve, apply, or remit the same according to this my Will, which receipt shall be recorded in the probate Office within one month from the date of it, and indorsed that it is so entered.

24° Provided, and it is my Will that if any of my

Heirs should obstruct, oppose or Discourages, the setting up or continuing publick Worship according to this my Will; such person or persons so obstructing &c. shall therefor forfeit all right to any part of any of the principal or interest of said Donation that may fall to my Heirs according to the above conditions; and it shall be equally divided to and among my other Heirs.

25° Further my Will is in order to enable my exec. [CUT OFF] to pay in said Donation I hereby order

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Executrix to take into her care and charge the £ 100 state Note and the £ 200 other Notes referred in the beginning of this my Will, and provided said Land I bought of Dr. Lathrop should not be sold at my Decease, I have by give my executrix or her successor Executor full power to sell said Land as soon as it can be done to advantage, and to make and execute good and authentick Deed or Deeds thereof to the purchaser or purchasers, and the proceeds thereof apply towards the said £ 200 for the above Donation, and that my Executrix or Executor take care of said Estate so that the Notes lie against able persons so that they are not liable to be lost, according to the best of her or his prudence and ability holding the same for the purpose afforesaid.

26° And my Will is that if the people in this vicinity will set up winter preaching in Mansfield within a mile or two of my Dwelling House, to the ammount of three months in a year, she or he shall pay of the annual interest of the said Estate above reserved for Donation £ 6 toward the expence of such 3 Months preaching; and so from year to year so often as the people afforesaid shall so employ winter preaching

27° And My Will is that the remainder of said annu-

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-all interest; or when there is no winter preaching, shall go, one third part of it to my Widdow, the other two thirds of it to my five Daughters; and after my Widdows decease; the whole of it to my five Daughters in equal shares, or their Heirs if any of them should be Deceased.

28° Further My Will is that if the people in this vicinity shall at any time before said first day of January 1812 raise a bank of £ 50 lawful Money annual income, for the support of publick Worship, where and as above prescribed and get

an incorporation for that purpose. In addition to what I have above ordered for the support of publick Worship; there shall be paid by the owner or occupier of the Land above described for my Widdow and Grandsons £ 2;10. per annum forever, as the interest of what I will bank with others, and that each of my Daughters their Heirs and assigns forever shall in like manner and for the like purpose pay £ 1.6 yearly on what Land [they?] shall have as portion of the Lands I now own; or until the Owners of said Lands shall otherwise bank for the support of the publick worship of God, to [the?] ammount of that annual income; or so long as [COVERED] said Bank of £ 50 annual income by other [COVERED] be continued, and improved for the support of pub-

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lick worship where and as above prescribed; and that, with what I have herein ordered for the support of publick Worship is so improved and applied to the support of a Minister of the above description, as to superceed any parish tax for that purpose.

29° My Will is and I give to my son in Law Ebenezer, Ross, the ammount of £ 100. £ 50 of which shall be paid at inventory price soon after the inventory is made. Viz. £ 10. in Horses £ 26 in neat stock £ 10. in household Goods and £ 4 in husbandry tools.

The other £ 50 shall be paid in three years after my Decease, one half of it in Money the other half of it in quick stock

30° My Will is that what I have given to my Daughter Mary Perkins, Be accounted to her as advance portion which I compute at £ 237:15:8 and I prepose to advance to her £ 2:4:4 more which will make her up £ 240, advance portion.

And whereas my Daughter Jamesin Perkins has received from me £ 266:14 also I have note on interest against her Husband Isaac Perkins of £ 16:12: My will is that £ 240 of what she has so received be counted to her as advance portion and the remainder viz. what may then be due on said Note &c.

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be deducted from what she is to receive in Land And whereas my accounts of what I have advanced to my other three Daughters are not

fully liquidated which I mean to do as soon as I conveniently can, and enter it on a [cut off] page at the End of this my Will; if I should Decease before that is done the account must be adjusted with my Executrix. But what ever I shall so enter as advanced to any of my Daughters, no accounts minutes or charges of advance portion to them previous to the Date of such entry shall be subject to any revisal or dispute after my Decease And I purpose further to advance to my three youngest Daughters Viz. Hannah Avery, Sarah Howard and Eunice Tracey so as that with what I have already advanced to them respectively they shall each of them have £ 240 as advance portion; and whatever any of my Daughters shall lack of having £ 240, so advanced to them as my decease shall be made up to that sum by articles or personal Estate. viz. household furniture, quick stock and husbandry tools at inventory

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31° My Will is that all sums of Money or other Articles ordered to be to the ammount of sums of Money, advanced or to be advanced or remited shall be computed according to silver of 6/8 per ounce whatever the currancy or nominal account of Money may be at the time of paying, distributing, demanding or adjusting any of the bequests or matters herein ordered.

32° My Will is, that all the remainder of my Estate both real and personal not particularly disposed of in this my Will shall be equally divided to and among my five Daughters or their Heirs if any of them should be deceased. viz. Mary Perkins, Jamesin Perkins, Hannah Avery, Sarah Howard & Eunice Tracey. and I hereby give and bequeathe unto each of them or their Heirs as afforesaid one fifth part of said remainder of my Estate to hold to them their Heirs and Assigns forever.

33° Provided that should I set off any Land to either of my Daughters, or their children in my life time, such Daughter and her husband if living, or the child that receives it shall receipt for it on a blanque page of this my

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Will expressing so much Land received refering to the Deed and what it is estimated at. And in the settlement after my decease the same

shall be counted against that branch of my family as so much received of said remainder.

34° My Will is, that if any litigation should arise against the title of any of the Lands herein bequeathed after it is divided and set to my Heirs, whereby there is loss of property by costs or otherwise to any one more than other of them, there shall be a disbursement from all others of my Heirs in proportion to what they receive by this my Will so that the loss shall be born equally by them.

35° My Will is that my executrix or executor retain her or his charges or expences relative to said trust of the personal Estate of the profits of the real Estate she or he may have the charge of, provided he make up his account and they are adjusted yearly by my children hereafter appointed to choose and Executor or the major part of them; or if he and them cannot agree as to his charges; My Will is, that if be determined by indifferent Men mutually chosen or appointed by one sides only if the other refuse or neglect to join

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Whose judgment or determination shall be decisive and a certificate thereof and of their election or appointment as aforesaid under their Hands and seals, shall be the guide for settlements of such disagreement, a triplicate of such certificate always to be made out, one to be kept by the Chairman of the Reserves(?), and one for each party, In like manner my Will is, that all differences between my Heirs, between them and my Executor, and between all persons claiming any benefit by this my Will; all Differences relative to any thing herein contained shall be settled, and that no person or persons shall be subjected to any process in Law or any cost of such process relative to this my Will previous to such tryal by Men; or wherein he she or they comply with, or submit to the judgment of Men as aforesaid.

36° My Will is that my Lands which I die seized of be not inventoried; but my children who are to receive the remainder of my real Estate above mentioned may estimate and divide it among themselves; or by the assistance of such Men as they shall choose. And if there should be any branch of my Family at the time of Division under age

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their Guardian shall act for them.

37° In like manner I will, that the real Estate I have given to my Grandson Benjamin he shall improve in common with my Exec. improving Jonathan's part (if my Widdow is deceased) from the fifth of April after he Benjamin is 21 years old till my grandson Jonathan arrives to that age, when they may agree between themselves and divide the Land herein ordered for them in common; or by the assistance of such men as they shall choose: But if either of them should then be deceased, leaving lawful issue it shall be divided and set to them by freeholders appointed by the judge of Probate as in common cases of dividing Land to Heirs by Law. And my Will is that there be reserved for and given to him Benjamin on said first of April when he begins to improve as above, thirty hundred of good english Hay, likewise to Jonathan the first of April before he is 21 years old. twenty hundred of good english Hay.

38° And in all cases above mentioned the division and partition of real Estate shall be fairly described agreed to signed sealed and

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acknowledged before a justice of the Peace and recorded in the probate office to be evidence of Division and distinct title to each one respectively.

39° My Will is that there shall be no lapse Legacy in this my Will; but if before the final settlement of all Matters contained herein any branch of my Family should be extinct what would belong to that branch shall belong to the surviving Branches in equal shares their Heirs and Assigns forever.

40° My Will is, and I hereby appoint and constitute my well beloved Wife Mary Chaplin my sole Executrix of this my last will and Testament and my Will is that whenever she shall close Executorship by Death or resignation, or if she should decease before or soon after me: My five Daughters above named and their husbands or such of them as are then living shall nominate and choose and Executor. two thirds of which agreeing in one for Executor shall be a choice; and a certificate of such nomination of choice under their hands and seals attested by

Witnesses, and acknowledged before a justice

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of the peace shall be filed in the probate office with this my Will, and Certified on the Records here of there, and on the Copy the Exec. keeps and authenticated by said Court as the probating of the Will is authenticated shall be Evidence that such person is Exec. provided all my said Children shall be notified to act in such choice and shall at least acknowledge in writing they have been notified altho they don't act or concur in the choice, which acknowledgement shall accompany the certificate of choice provided also that if any of my Daughters should be deceased at the time of such choice her eldest child if 18 years old shall be counted and act in her stead in such choice. In like manner My Will is, that every time there shall happen a vacancy of an Executor it shall be filled up so long as there shall need an Executor.

41° My Will is that any Executrix or Executor shall not be subjected to bear the loss of any bad Debts that may happen, wherein it shall appear that she or he have ex-

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Exercized prudent care respecting them Finally My Will is, and I hereby revoke and disanul all other and former Wills by me made; or Execs by me named; ratifying this and this only to be my Last Will and Testament

Signed sealed, published and Declared by the said Benjamin Chaplin to be his last Will and Testament in presence of Ebe(neezor0 Lathrop

Benjamin Chaplin (seal)

Jonathan Cary

Urriah Palmer

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The within as a copy of the original
on record in the probate office

Probate officer} Mr. T Williams, Clk Pro:

10th May 1809} Tam:

I do hereby certify that agreeably to the Provisions of the
Last Will & Testament of Dean Benjamin Chaplin of ??
the foregoing is a Copy. Mrs Sarah Howard was appointed
Executor of sd Last Will & Testament in the ?? of her
deceased Husband Mr James Howard and on the 26th day
of May 1812 she accepted the Trust gave ?? and
was qualified agreeable to the provisions of sd Will and
according to Law

Certified

Pr Her. Preseley(?) Judge of Probate