

Description: Loose estate papers of Stephen Osborn (d. 1855)
Erie Co., NY Loose Surrogate's Records, Case #16761

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No. 16701

STEPHEN OSBORN

SURROGATE'S COURT
ERIE COUNTY

We the subscribers acknowledge that we
have received from Hezekiah A. Salisbury
and Elias C. Salisbury Administrators, our re-
spective distributive shares of the personal
property of the estate of Stephen Osborn
late of the City of Buffalo, deceased
Buffalo May 19th 1855.

Phoebe Salisbury
Marietta Osborn

Harriet E. Salisbury

Eric Leavelle

City of Buffalo & on this 21st day of May 1855
before me came Phoebe Salisbury, Marietta
Osborn, & Harriet E. Salisbury to me known
to be the individuals described in &
who executed the above receipt & severally
acknowledged the execution thereof.
Benj. F. Pomeroy
Com. of Depts.

Receipt of
Phoebe Salisbury
Marionna Osborne
Harriet C. Salisbury
to

H. W. Salisbury
Elias O. Salisbury
Administrators

Filed July 29th 1857

TO THE SURROGATE OF THE COUNTY OF ERIE:

The petition of Elias O. Salisbury, successor Administrator
of the estate of Stephen Adams
of the City of Buffalo, in the County of Erie,

showeth, that on the Twenty fourth day of January 1857 he was
duly qualified and appointed by the Surrogate of the County of Erie, for of the Administrator
of the estate of Stephen Adams
and that Richard C. Salisbury of the City of Buffalo
deceased, on the 20th day of July 1857
and upwards have expired since such appointment.

That to the best of his knowledge and belief the following named persons, with their ages and places of residence, as far as they can be ascertained by your petitioner, are all the persons interested in the settlement of his accounts, to wit: Phoebe Salisbury, Martha Adams, and Harriet E. Salisbury, all of the City of Buffalo.

That said Richard C. Salisbury died on the 14th day of March 1856 not having received any amount of his Monies of said Admistrator

Your Petitioner therefore pray proceedings in said Surrogate's Court, to enable him to render an account of his proceedings as such Administrator to the end that a decree may be entered, discharging him as such.

Dated Buffalo July 28th 1857.

Elias O. Salisbury

STATE OF NEW YORK, }
Erie County, } ss.

City of Buffalo. On the 28th day of July 1857, personally
appeared before me Elias O. Salisbury
the Petitioner named in the within petition, who being by me duly sworn, said, that he had heard the foregoing petition subscribed by him read and knew the contents thereof, and that the same was true of his own knowledge, excepting as to the matters therein stated, on his information and belief, and as to those matters, he believed it to be true.

Seen to before me }
July 28th 1857. }
Caleb P. Chambers
Clerk of deeds for
Buffalo.

Surrogate.

Elias O. Salisbury

Erie Surrogate's Court

In the matter of the Estate of

Stephen Osborn

DECEASED.

Petition for final settlement

Filed July 28th 1857

[Faint, mostly illegible handwritten text, likely bleed-through from the reverse side of the page.]

Know all Men by these Presents, That we Hezekiah Salisbury and Elias O Salisbury of Buffalo, John Carpenter of the Town of Wales, Guy N Salisbury of Buffalo

are held and firmly bound unto the People of the State of New York, in the penal sum of _____

Six thousand Dollars lawful money of the United States of America, to which payment well and truly to be made we bind ourselves and our heirs, executors and Administrators, jointly and severally, firmly by these Presents. Dated _____ day of _____ 1855.

Whereas, The above bounden Hezekiah Salisbury & Elias O Salisbury has applied to the Surrogate's Court of Erie County, for letters of Administration on all and singular, the goods, chattels and credits of Stephen Osborn deceased, The condition of this obligation is such that if the said Hezekiah Salisbury and the said Elias Salisbury shall well and faithfully execute the trust reposed in them as Administrators as aforesaid. and shall obey all orders of the Surrogate of Erie County, touching the Administration of the estate committed to them then this bond to be void, otherwise to remain in full force and Virtue.

H. A. Salisbury,
Elias O. Salisbury
John Carpenter
Guy N. Salisbury



Bond of Administrator.

In the matter of the Estate of

Stephen Gibson

Buffalo deceased.

Filed the *23* day of *January* 18*55*.

Erie County, ss. *George H. Salisbury, Elias A. Salisbury, John Carpenter & Guy H. Salisbury* came before me on the *23* day of *January* 1855, and severally acknowledged the execution of the within bond. I know them to be the individuals described in, and who executed the same

Erie County, ss. *Benjamin F. Parrinello* *John Carpenter & Guy H. Salisbury*

being duly sworn says, and the said *John Carpenter* says that he is a Freeholder and Householder in the county of *Erie* and that he is worth the sum of *three thousand* dollars, over and above all debts and demands against him, and the said *Guy H. Salisbury* says that he is worth the sum of *three thousand* dollars, over and above all debts and demands against him.

Sworn before me this the *23* day of *January* 1855. *John Carpenter*
Benjamin F. Parrinello *Guy H. Salisbury*
County of Erie *the city of Buffalo*

Surrogate's Court.

Essex County.

In the matter of the settlement of the Accounts of ^{administering} Elias O. Salisbury the Administrator of the estate of Stephen Robson deceased.

Testator

I, Elias O. Salisbury of the City of Buffalo, do render the following account of my ^{administering} proceedings as Administrator of the estate of Stephen Robson deceased, for final settlement and allowance.

On the 24th day of January, 1855, Letters of Administration of the estate of the said testator were issued to me and Hegakiah Salisbury, now deceased.

No appointment and inventory of the estate of the said deceased was ever made. The reason why ~~the same~~ I did not cause the same to be made, was that the next of kin were desirous of inclosing as little the expense as possible, and by mutual consent of all parties interested in said estate, the appointment and inventory of the same was dispensed with.

Schedule "A" hereto annexed contains a statement ^{of the amount} of all of the property belonging which has come into my hands as such administrator aforesaid, including the debts due the estate which I have collected.

Schedule "B" contains a statement of all debts against the estate of the said deceased, which I have paid, also a statement of

debt due the estate which are uncollected together with the reasons why the same have not been collected. It also sets out the assets than those mentioned in said schedule ^{and} they have come into my possession. It also contains a statement of all moneys paid by me for funeral and other expenses for said estate together with the object of such expenditures. Also the amount of my credits.

Schedule B hereto annexed containing a statement of the names of the widow and next of kin who are entitled to share in the estate. It also contains a statement of all other facts affecting my administration of said estate.

Hegabird Salisbury, My ex. administrator dies on about the 14th day of March 1836.

Schedule A.

Amount of property, including all money, which has come into the hands of the Administrator:

Cash	-----	\$ 1473.81
Bonds and Mortgages	-----	2615.46
Notes	-----	1005.65
Railroad stock &c.	-----	3884.30
Amount	-----	<u>\$ 8979.22</u>
Grain	-----	219.50
One horse, ^{same} stock & farming utensils.	-----	410.00
Am't.	-----	<u>\$ 9608.72</u>

Schedule B.

Amount of money paid by Adm'r. in settling the debts of dec'd. (see Schedule) \$ 782.88.

Debts uncollected.

Acct. due on bond of G. W. Emory	-----	\$ 35.00
" " " " " O. Hopkins	-----	60.00
" " " " " F. Maynard	-----	95.00
		<u>190.00</u>

Notes uncollected.

Note of S. Schenckman	-----	\$ 250.00
Levinus Wagner	-----	196.10
Note of John Allen	-----	21.07
Deficit in amt. of N. Blackman note (see 21)	-----	17.31
		<u>\$ 484.48</u>
		<u>\$ 1457.36</u>

8 Shares in B. & A. R.R. Co.	-----	\$ 800.00
Unliquidated acct. ag't. O'Connell Co.	-----	3156.50
Acct. due on O'Connell's acct. on hand by		
Buffalo Savings Bank	-----	800.00
Amount paid for burial of O'Connell	-----	500.00
		<u>\$ 4456.50</u>
Amount to		<u>\$ 5913.96</u>

The amt. of money disbursed by one trust of 1824
as accounted by the vouchers. I did not deem
it necessary to set out an item.

The balance due me by D. Embury Bond in ^{trust} general
Mrs. Embury is dead. he resided in the City of New
York at the time of his decease & I do not know
whether his estate is solvent. This Bond was held
by Adams jointly with ^{Charles C. Stone} Drury. ^{In the City of New York} The (Embury) said as
account due me bond but by mistake of Dr. Embury
a discharge of said mortgage was given ^{although there}
a balance at Adams was due there. I suppose
the estate of Embury is liable equitably for the
bal. due me said Bond.

The bal due me Hopkins and Wagoner Bonds
are good.

Mr. Schumaker resides in the State of Michigan
his claim is doubtful.

Samuel Wallace resides in State of Iowa. or
did reside there ten years ago. I know nothing
of his circumstances.

John Allen's note was left with a Justice of the
Peace for collection, but was lost. I deem the
claim exceedingly doubtful.

The note of Mr. Blackman was sent under
a judgment recovered. the execution issued
thereon was returned nulla bona. subsequent-
ly however, he paid me \$25. I have charged
myself with the full amt. in deb. A. and
credited myself with deficit in Feb. 1831 B. trust
17.31.

The shares in B. & A. P. K. are worthless.

The unliquidated acct. against the Dryland &
Company was for services rendered by Adams

17.31

between the years 1842 and 1846. considered doubtful.

The sum of \$5711.00 with which I am credited in Sched. "B." was appropriated for the purchase of a burial lot, the erection of a monument, and unfinished ^{Schedule "C."} ~~work~~ ^{work}.

The following are the names of the persons who are entitled to share as the next of kin of the said deceased, to wit: Phoebe Salisbury, Marietta Nelson and Harriet E. Salisbury.

Receipts

Am't assets with which I charge myself \$9608.72

I credit my self with:

Am't. disb'd in & about estate. } \$792.88

Expenses for burying & funeral } 500.00

Bal due on Bond } 190.00

Notes & mortgages on estate } 489.48

Rail road stock withheld } 800.00

Unliquidated claim vs. apdm claim } 3156.61

\$5913.96

Balance in hands of Admin. } \$3694.76

which has been paid by the said Admin. in
settlement to the next of kin as above mentioned

Elias O. Salisbury

City of Buffalo.

Erie County, N.Y.: Elias O. Salisbury of the City of Buffalo, being duly sworn, deposes that he is the ^{sole} administrator of the estate of Stephen Nelson, deceased; that the foregoing account and scheduled account and that they contain a true statement of

all of the money which have been received
by him as such administrator, and that
the said account also contains a very
best statement of all money & disbursements
by him in and about his admin-
istration of said estate, and that he
does not know of any error in said
account, which may in any wise prejudice
the rights of any party interested
therein. And deponent further says that
the sums under twenty dollars charg-
ed in said account for which no make-
up appears in other evidence of payment
are produced have been actually paid
and disbursed by him as charged ^{therein} &
him.

Sworn to before me } Elias O. Salisbury
the 28th day of July

1857

Levi C. Chamberlain
Clerk of Court for
Buffalo,

Surveyor of the Court.
In the matter of the
final settlement of
the estate of Elias O.
Salisbury deceased. The
administrator of the es-
tate of the said
deceased.

Attest.
Elias O. Salisbury
July 28th
1857

To the Surrogate of the County of Erie.

The petition of Phoebe & Elizabeth and Hezekiah of the city of Buffalo in the County of Erie, respectfully sheweth: THAT Stephen Osborn

of the city of Buffalo in the said County of Erie, died in the said city of Buffalo on or about the ninth day of January in the year of our Lord one thousand eight hundred and fifty five

That at the time of his death he was an inhabitant of the County of Erie; that he left no will, as far as your petitioner has heard or been able to discover. That he left his surviving his sister Phoebe of our petitioners the wife of Hezekiah Salisbury of Buffalo Margaretta Osborn of Buffalo both of them being over 21 years of age - Stephen O. Carpenter Esq. of Hamett the wife of John Carpenter, which now deceased (Hamett meaning) who resides in Wols One county; Hamett & Salisbury also resided in Wols Buffalo and on 21 Feb the estate of Phoebe Salisbury sister of deceased, who is also now deceased - and certain nephews & nieces of the deceased whose names and residences are unknown to your petitioner but are supposed to reside in Michigan

And your petitioner further sheweth, that all the goods, chattels and credits of the said deceased do not exceed in value the sum of Three thousand dollars, and your petitioner prays that letters of Administration of the goods, chattels and credits of said deceased, may be granted by the Surrogate to your petitioner. Hezekiah Salisbury in right of his wife Phoebe, the other of your petitioners and to Elias O. Salisbury, a son of the said Hezekiah Salisbury who is aged 21 years of age.

I Marietta Osborn one of the two surviving sisters of the one named Stephen Osborn deceased do hereby consent to the appointment of the one named Hezekiah Salisbury as a administrator of the said deceased and pray that he may be so appointed

SURROGATE'S COURT, COUNTY OF ERIE, ss.

On this 6th day of January 1855, personally appeared before me, in open Court Hezekiah Salisbury & Phoebe Salisbury the above named petitioners and made oath that the matters set forth in the above petition are true, according to the best of the knowledge, information and belief of the said petitioner.

Benjamin P. Parmelee
Clerk of Surrogate of the city of Buffalo

OATH OF ADMINISTRATOR.

ERIE COUNTY, ss. Hezekiah Salisbury & Elias O. Salisbury do swear that we will well, honestly and faithfully discharge the duty of Administrator of the estate of Stephen Osborn late of Buffalo in said county deceased, according to law.

Subscribed and sworn this 6th day of January 1855, before me

Benjamin P. Parmelee
Clerk of Surrogate of the city of Buffalo

Hezekiah A. Salisbury
Elias O. Salisbury

Eric Surrogate's Court.

In the matter of Estate of

Stephen DeBano late
of *Buffalo* deceased.

PETITION FOR ADMINISTRATION.

Filed June 27

1863