

I Nicholas Tracy of Newbury port in the County of Essex  
and Commonwealth of Massachusetts Merchant, being desirous of  
disposing of all my worldly estate both real and personal, by will,  
while I enjoy a sound and disposing mind and memory, do make  
my last will and testament in manner following.

Imprimis. My will is that my debts (if any) and funeral & other charges be paid  
out of my personal estate as soon as may be after my decease by  
my Executors hereafter named.

Item. I give and devise to my beloved wife Miriam one third part of  
my dwelling house in which I now dwell, situate upon the north  
westerly side, and at the head of Fifth Street so called in Newbury  
port aforesaid. with One third of the land under & adjoining the  
same & one third of all the buildings thereon & appurtenances  
therof. To have and to hold the same for and during the term  
of her natural, and the other two thirds of the premises I give  
her to have and to hold so long as she shall continue my  
widow. I also give and devise to her for and during the term of  
her natural life, one third part of all my other real estate, where  
ever the same may be, I also give her one third part of all my  
personal estate including monies, and debts due to me, that shall  
remain after payment of debts and charges as aforesaid.

Item. I give to my Son Robert, the use and occupation of my house,  
situate on the northwesterly side of Queen Street in said Newbury  
port, now occupied by Mr. Mills & of all the land under and  
adjoining the same and of all the buildings thereon & appurte-  
nances therof, for and during the term of his natural life,  
subject to my wifes right of dower therein, he keeping the  
same in good repair and committing no waste thereon.  
I also give him the sum of twenty shillings in addition to what  
he has already received of me.

Item. I give and devise all the rest and residue of my estate real &  
personal, not herein otherwise disposed of, to my Son Nicholas  
Tracy, (including the reversions and remainders expectant upon  
the determination of the estates herein before given to my Wife and  
Son Robert) To have and to hold the same to him his heirs &  
assigns in fee simple forever. provided always, that if my  
said Son Nicholas should die before he arrives to the age of  
twenty

twenty one years, Then I give and devise, all the real estate  
herin devised to my said Son Nicholas, to my Brothers Mat-  
thew Tracy and John Tracy & to my Sister Catherine Tracy  
Devoreup all of the Kingdoms of Ireland. To have & to hold  
the same in fee, as tenants in Common & not as jointenants,  
Unless my said Son Nicholas dying as aforesaid should leave issue  
of his body lawfully begotten, In which case it is my will and  
intention that just Issue should inherit, all I have given & devise  
in fee simple according to the laws of this government, and  
not in fee tail.

lastly. I do constitute and appoint my said wife, and my good  
Friends Samuel Tufts Merchant, and Capt Joseph Noyes  
Mariner, both of Newbury port aforesaid, Executors of  
this my last will and Testament. hereby expressly revo-  
king all former wills heretofore made by me.

In Testimony whereof I the said Nicholas, the Testa-  
tor abovenamed do hereunto set my hand and Seal  
the seventeenth day of January AD 1787.

Signed Seald published and  
pronounced by the Testator as &  
for his last will & testament in  
presence of us the subscribers who  
attested the same in his presence  
& in the presence of each other.

Nicholas Tracy

Theop Bradbury.  
Sarah Bradbury  
George Bradbury

To all People to whom these Presents shall come, Benjamin  
Greenleaf Esq. Judge of Probate in the County of Essex within  
the Commonwealth of Massachusetts sendeth Greeting

Knowye that the Instrument of newritten, purporting the last  
Will & Testament of Nicholas Tracy late of Newbury port in said Coun-  
ty Merchant deceased being presented for probate by the Executors  
therein named, Theophilus Bradbury Esq. & Sarah Bradbury, his  
Wife, two of the Witnesses thereto subscribed appeared on the thirteenth  
Day of June Anno Domini 1787, and made Oath that they saw  
the

The said Testator sign & seal and heard him declare the said Instrument to be his last Will & Testament and that the said Theophilus & Sarah with George Bradbury subscribe their Names together as Witnesses to the execution thereof in the said Testator's presence; and that he was then, to the best of their judgments, of sound & disposing Mind: I do move approve & allow of the said Instrument as the last Will & Testament of the before named deceased, and do commit the administration thereof in all matters the same concerning, and of his Estate whereof he died seized & possessed in said County unto Miriam Truey Samuel Tuffe & Joseph Noyes the before mentioned Executors well & faithfully to execute the said Will, and to administer the Estate of the said Deceased according thereto, Who accepted of their said Trust and gave Bonds, with Andrew Frothingham & James Hittell Juncties, for the faithful performance of the same. In Testimony whereof I do hereunto set my hand & Seal of Office the day & year above written

B Greenleaf