

IN THE PRESENCE OF GOD:

I, David K. McDonough, of the city, county, and State of New York, mindful of the then Lord's help and mercy, do make, publish, and declare this my last will and testament, as follows:

First:- I direct that all my just debts and my funeral expenses be paid out of my personal estate.

Second:- I give and bequeath to my beloved wife, Elizabeth Frances, if she shall survive me, and to her heirs at law forever all the household furniture and utensils, that which I now have and whatever I may die possessed of or in any wise entitled to, it being however expressly understood that the Piano furniture and other articles now in the possession of and used by my daughter, Alice Frances, have been given to her by me and that she is the owner and entitled to the undisturbed possession thereof.

Third:- I give and bequeath unto my beloved wife Elizabeth Frances and to my daughter Alice Frances share and share alike and to their heirs at law, all the rest, residue and remainder of my personal estate of every description that which I now have and whatever I may die possessed of or in anywise entitled to, provided nevertheless and it is expressly understood that nothing herein shall impair or disturb the rights of my wife Elizabeth Frances and my daughter Alice Frances to the immediate possession of their bank books and the sums of money that may at the time of my death appear to their credit respectively upon their said books, it being understood that the books referred to are those held by me in trust for them respectively, my name appearing thereon as trustee, they being however the owners of such books and of the accounts representative by them as their names in connection therewith clearly indicate.

Fourth:- I give, devise and bequeath to my beloved wife Elizabeth Frances and to my daughter Alice Frances during their joint lives (to be held by them as joint tenants and not as tenants in common) and to the survivor and to her heirs and assigns forever all that certain plot of land and the improvements thereon, situate, lying and being in the city of Newark, county of Essex and state of New Jersey, and bounded and described as follows:

Beginning at a point on the westerly side of Bergen Street distant from the Northwesterly corner of Bergen Street and South Orange Avenue two hundred and four feet and two inches and thence running North sixty-two degrees thirty minutes west one hundred feet, thence South twenty-seven degrees thirty minutes west on a line parallel with Bergen Street fifty feet; thence South sixty-two degrees thirty minutes West and parallel with the first course one hundred feet to the westerly side of Bergen Street and thence along Bergen Street North twenty-seven degrees thirty minutes East fifty feet to the place of beginning, being the most northerly plot of land fifty feet in width, front and rear, and one hundred feet in depth on each side contained in the premises conveyed to me by John D. Harrison, Sheriff, by deed bearing date March 1 1876 and recorded in Book W. 18 of deeds page 560.

Fifth: I give, devise and bequeath to my executors, the survivor or survivors of them or their successors all the rest, residue and remainder of my lands and real estate, wherever situate, that which I now have and that which I may die possessed of or in anywise entitled to in trust and nevertheless as follows:

During the joint lives of my beloved wife Elizabeth Frances as long as she shall remain my widow and my daughter Alice Frances, in trust to pay to them or to such person or persons as they shall severally by writing appoint to receive

4

the same, for their sole and separate use the rents, issues and profits thereof monthly, share and share alike; provided that should my daughter die in the lifetime of my wife leaving issue, then in trust to pay to my said wife during her lifetime ~~as long as she shall remain my widow, and to~~ the legal representatives of the issue of my daughter the rents, issues and profits thereof in like manner, one-half to my wife during her lifetime so long as she shall remain my widow and one-half to the legal representatives of the issue of my daughter and further provided that should my daughter Alice Frances die in the life time of my wife without leaving issue then in trust to pay to my said wife during lifetime so long as she shall remain my widow all the rent, issue and profits thereof, and further provided that ~~should my wife die or again marry during the lifetime of my~~ daughter Alice Frances, then in trust to pay to my said daughter Alice Frances all the rents, issues and profits thereof and further provided from and immediately after the marriage or death of my wife and death of my daughter without leaving issue, then in trust with power to sell at public or private sale the whole of my real estate and divide the same as follows;

To the Zion African Methodist Episcopal Church, New York City one part to be applied to the uses of the said society, ~~to be used for the benefit of the destitute aged~~ women of said society.

To the Bethel African Methodist Episcopal Church, New York City one part to be applied to the uses of said society, to be used for the benefit of the destitute aged women of said society.

To the Abyssinian Baptist Church New York City one part to be applied to the uses of said society, to be used for the benefit of the destitute aged women of the said so-

ciety.

To the Saint Philips Parish Home of the city of New York for aged, infirm and destitute persons, one part to be applied to the uses of said society, to be used for the benefit of the destitute, aged women of said society.

To Shiloh Presbyterian Church New York City two parts to be applied to the uses of said society, to be used for the benefit of the destitute aged women of said society.

To the Plane Presbyterian Church Newark, New Jersey two parts to be applied to the uses of said society, to be used for the benefit of the destitute aged women of said society.

To the Trustees of Lafayette College Easton, Pennsylvania two parts to be applied to the uses of said college.

To the Electric Medical College of the city of New York two parts to be applied to the uses of said college.

To the American Missionary Association of New York City six parts to be applied under the direction of said Association to the uses and purposes of Stright University located in the city of New Orleans and State of Louisiana..

To Washington Watts McDonough of Simon, Western Africa and to his heirs two parts.

To Henry McDonough Tilman and to his heirs one part.

To David K. McDonough Higgins and to his heirs one part.

To Margaret Johnson of No. 213 Sullivan Street, New York City and to her heirs, one part.

To Jane Benson of No. 213 Sullivan Street, New York City and to her heirs, one part.

To the colored Orphan Asylum 135th Street New York City, eight parts to be applied to the uses of said society.

To the Old Ladies Home 2nd Avenue and 63rd Street, New York City, eight parts to be applied to the uses of said society.

But in case my daughter Alice Frances should die, leaving issue then from and immediately after the marriage or decease of my wife Elizabeth Frances, I give, devise and bequeath to the heirs at law of my daughter Alice Frances as tenants in common all the said lands and real estate.

Sixth: I do hereby declare that the aforesaid gifts to my wife are intended to be and are so given to her in lieu of and in full satisfaction and recompense of and for her dower and her distributive share or thirds, which she may or can in anywise claim or demand out of my estate.

LASTLY:- I hereby appoint my beloved wife Elizabeth Frances McDonough executrix and my friends Joseph Gassin and Adam Hudson executors of this my last will and testament, hereby revoking all former wills by me made.

In witness whereof I have hereunto subscribed my name and affixed my seal to this instrument and published and declared the same to be my last will and testament at the city of New York, this eighth day of June in the year of our Lord, one thousand eight hundred and eighty-one.

D.K. McDonough (L. S.)

At the city of New York in the county of State of New York, on the eighth day of June in the year of our Lord one thousand eight hundred and eighty-one that being the date of the above instrument the above named David K. McDonough in the presence of each of us, subscribed and sealed the foregoing instrument and at the same time declared the same to be his last will and testament and we at his request and in his presence and in the presence of each other, have hereunto subscribed our names as witnesses.

L.V. Brincherhoff residing at Tottenville, N.Y.

Jerome B. Peterson residing at 141 West 49th Street New York City.

Garniel L. Harris residing at Rutherford, New Jersey.