

**Daniel Fuller of Newton, Commonwealth of Massachusetts, USA
Probate Court Appoint Administrator, 9 June 1796**

Middlesex County Probate Court

Reference: Case Number 8724

Final Probate, 5 April 1797, Middlesex County,
Province of Massachusetts Bay, New England

(Born 13 Aug 1732 - Died 22 Sept 1786)
(*Daniel⁴, Jonathan³, John Jr², John¹ of Newton*)

Transcribed Dec, 2017, by
Diana Spelman, Norwich, Norfolk, UK
Compiled by W L Fuller

[**Note: Daniel Fuller 1732-1786**, died intestate (without a Will) and below are his Probate Court Records (transcribed) which reveal information about the family.

Wife was Lydia Fuller 1737-1806 – [Lydia and Daniel were second cousins]

Children:

Isaac, 1756 –1771

Grace, 1758 –

Miriam, 1759 – 1796, Married 1795 George Ellis of Medford b. 1763

Lydia, 1752 – 1802, bur. West Parish Burying Ground

Lucy, 1763 –

Hannah, 1763-

Jemima, 1765 – 1798, Married Ebenezer Hadley, Dummerston, Vermont

Nancy, 1767 – Married Benjamin Whitney 1794, in Westminster, Worcester, MA

Daniel Jr., - Baptised 1784 -

The bold headers with dates prior to each document were inserted by me..... W L Fuller]

9 June 1796 – wife declines role of Administrator of the Estate

Middlesex &c 9 June 1796

To the Judge of the Probate of Wills &c for said County

It is some years since my late Husband Daniel Fuller late of Newton in said County deceased & he left but a Small Estate which was under Mortgage I therefore decline taking adm[inistra]con

thereon; We therefore desire that M[iste]r Joshua Jackson Jun[ior] of said Newton may be appointed the adm[inistrat]or

Lydia Fuller [signed]

Test[ator]s [signed]
Jonathan Coollidge
John Dural

John Fuller [signed]

9 June 1796 – Bond / Appointment of an Administrator

KNOW all Men by these Presents, That we

Joshua Jackson Jun[ior] as principal, John Duvall & John Fuller as sureties, all yeomen and of Newton in the County of Middlesex &c

within the Commonwealth of Massachusetts, are holden and stand firmly bound and obliged unto *Oliver Prescott Esq[ui]re* Judge of Probate of Wills, and granting Administration within the County of *Middlesex* in the full Sum of *Thirty thousand Dollars*, in Lawful Money of said Commonwealth, to be paid unto the said *Oliver Prescott* his Successors in the said Office or Assigns:

To the true Payment whereof, we do bind ourselves, and each of us, our, and each of our Heirs, Executors, and Administrators, jointly and severally, for the whole and in the whole, firmly by these Presents. Sealed with our Seals. Dated the *ninth* Day of *June* in the Year of our Lord One Thousand Seven Hundred and Ninety *Six*

THE Condition of this Present Obligation is such,

That if the above-bounden *Joshua Jackson Jun[ior] who is appointed adm[inistrat]or of the Estate of Daniel Fuller late of Newton aforesaid Husbandman intestate deceased*

do make or cause to be made a true and perfect Inventory of all and singular the Goods, Chattels, Rights and Credits of the said deceased, which have or shall come to the Hands, Possession or Knowledge of the said *Adm[inistrat]or* or into the Hands and Possession of any other Person or Persons for *him* and the same so made, do exhibit or cause to be exhibited into the Registry of the Court of Probate for the said County of *Middlesex* at or before the *ninth* Day of *September* next ensuing; and the same Goods, Chattels, Rights and Credits, and all other the Goods, Chattels, Rights and Credits of the said deceased, at the time of *his* Death, which at any Time after shall come to the Hands and Possession of the said *Adm[inistrat]or* or to the Hands and Possession of any other Person or Persons for *him* do well and truly Administer according to Law: And further do make or cause to be made a just and true Accompt of *his* said

Administration upon Oath, at or before the *ninth* Day of *June* which will be in the Year of our Lord, One Thousand Seven Hundred and Ninety *seven* And all the Rest and Residue of the said Goods, Chattels, Rights and Credits, which shall be found remaining upon the said Administrator Accompt, (the same being first examined and allowed of by the Judge or Judges for the Time being, of Probate of Wills and granting Administrations within the County of *Middlesex* aforesaid) and shall deliver and pay unto such Person or Persons respectively, as the said Judge or Judges by his or their Decree or Sentence pursuant to Law shall limit and appoint: And if it shall hereafter appear that any last Will and Testament was made by the said Deceased, and the Executor or Executors therein named do exhibit the same into the Court of Probate for the said County of *Middlesex* making Request to have it allowed and approved accordingly: if the said *Adm[inistrar]or* within bounden, being thereunto required, do render and deliver the said Letter of Administration (Approbation of such Testament being first had and made) into the said Court: Then the before-written Obligation to be Void and of none Effect, or else to abide and remain in full Force and Virtue.

Joshua Jackson Jun[io]r

Sealed and Delivered
in Presence of us,

John Duval

Sam[ue]l Dana
James Winthrop

John Fuller

9 June 1796 – Warrant / Court Appoints Inventory Committee

Commonwealth) *Middlesex ss.*
of Massachusetts,)

To Smith Adams & Roger Adams both of Newton & James Robbins of Watertown all yeomen &
[marginal note: *Paid*] in the County aforesaid, **Greeting.**

YOU are hereby appointed and impowered to take an Inventory of, and (according to your best Skill and Judgment) truly and justly to apprise (in Lawful Money of this Commonwealth) all the Estate whereof *Daniel Fuller Husbandman* late of *said Newton dec[ease]d* died seized, in the aforesaid County; and you are to make Return of this Warrant, with your Doings thereon, unto the Probate Office, in the same County, within three Months from the Date hereof.

Given under my Hand this *Ninth* Day of *June* A.D. 1796.

Oliver Prescott J: prob

Sworn before me John Remington
Justice of the peace September 5th 1796

5 Oct 1796 – Warrant / Court Appoints Real Estate Appraisers

To *Abner Sanderson Esq[ui]e* of *Waltham*, *Nathan Fuller Esq[ui]e* & *Joshua Fuller Gentleman both of Newton & all within the County of Middlesex &c*

of the Commonwealth of Massachusetts, and sufficient Freeholders,

Greeting.

Pursuant to the Power and Authority to me given in and by the Laws of the said Commonwealth, I do hereby authorize and appoint you the above-named *three* Persons a Committee to apprise all the Real Estate whereof *Daniel Fuller* late of *Newton* in the said County *Husbandman* deceased, Intestate, died seiz'd and possess'd (in said Commonwealth) in his own proper Right in Fee Simple; & *Severe the same where it lieth in Common with Stephen Cook*

Each Piece and Parcel by itself, with their Names of Distinction, Buts and Bounds, and Number of Acres, at the present true Value thereof in Lawful Money, all in Words at length.

[marginal annotation]

...ti .58 pd

awus .50 –

Aff: 1.25

D. 2.33 p[ai]d

When you go about your Work, let all Parties concerned have Notice; and if any Dispute arise about the Quantity of any Parcel of Land, you may procure an Artist for the Survey thereof; and if all said Parties are satisfied with your Proceedings, let them signify the same by Countersigning.

Finally, Seal up this Commission, with your Doings thereof, and return the same, with all convenient Speed, into the Register's Office of Probate, by some or one of yourselves.

Given under my Hand and Seal of Office this *fifth* Day of *October* in the Year of our Lord One Thousand Seven Hundred and Ninety *Six*

Oliver Prescott J Prob[ate] [signed]

Col. [Nathan] Fuller sworn before me

James Winthrop Just[ice] peace

Joshua Fuller sworn before me

Nathan Fuller Just[ice] peace

[Dorse]

*Middleton Novr 1st 1796
Abner Sanderson Esq[ui]e[r] within named
is duly sworn to the faithful performance
of the trust reposed in him by the within
Commission*

before Wm Fisk J. peace

5 Oct 1796 – Court Accepts Declaration of Administrator

Commonwealth of Massachusetts, Middlesex, &c.

I, *Joshua Jackson Jun[ior]* of *Newton* in the County of *Middlesex adm[inistrat]or of the Estate of Daniel Fuller* late of *Newton* in said County of *Middlesex, Husbandman* deceased, intestate, do testify and say, that in pursuance of the Directions of the Honorable *Oliver Prescott Esq[ui]e*; Judge of Probate, &c. for said County, dated the *ninth* Day of *June* 1796. I did within three Months from said *ninth* Day of *June* viz. on the *Twenty Eighth* Day of *July* post in a public Place in said *Newton* a Notification of my Appointment to and Acceptance of said Trust:

And I do further testify that I did within the said three Months cause the same to be inserted three Weeks successively in the News Paper printed by *Adams & Larkin* at *Boston* beginning on the *first* Day of *August* 1796. And that the following is a true Copy of the Notification posted and published as aforesaid, Vi[delice]t.

*"All persons that have any demand upon, on that are Indebted to the Estate of Daniel Fuller late of Newton in the County of Middlesex dec[ease]d are requested to apply for Settlement to, Joshua Jackson jun[ior] adm[inistrat]or
Newton July 28th 1796"*

And further I say not. *Joshua Jackson Jun[ior]*

Middlesex, &c Cambridge in Probate Court, 5 October 1796

Personally appeared the above-named *Joshua Jackson Jun[ior]* and being duly cautioned to relate the whole Truth, made solemn Oath that the foregoing Affidavit by *him* subscribed contains the Truth the whole Truth and Nothing but the Truth, relative to the Transaction therein mentioned; and it being taken within the Time limited by Law, to perpetuate the Remembrance of the Thing, I order that it be recorded.

Oliver Prescott J. Prob.

5 Oct 1796 – Inventory Presented to the Court

An Inventory of the estate of Daniel Fuller late of Newton, yeoman, deceased, as Shewn us by the Admi[nistrato]r & apprised by us the Subscribers this 5th September 1796 Vi[delice]t

A House Barn & one Moiety of fourteen)
Acres of Land, being undivided & in) \$250.00
Common with Stephen Cook)

Personal Estate Vi[delice]t
one bed & bedding 19\$ 19.00
Shovel & Tongs 1; Case of Draws 2 3.00
old Pewter 1; Warming pan 0.50 1.50
Cloath Baskett 0.25, Breadtrough 0.25 0.50
two Iron Tramels 2; 2.00

\$276.00

Roger Adams)
Smith Adams) apprisers [signed]
James Robbins)

Middlesex &c Cambridge in Probate Courts 5 October AD 1796.

Exhibited on oath by Joshua Jackson ju[nio]r the adm[inistrat]or before me,

Oliver Prescott J prob:

2 Nov 1796 – Court Accepts Appraisal Report of Real Estate

To the Honorable Oliver Prescott Esq[ui]e[r] Judge of Probate for the County of Middlesex

S[i]r in Observence of Your Honest Commission hereto annexed we have severed the Estate of Daniel Fuller late of Newton deceas[e]d from that of Stephen Cook, by a line running from the end of a Ditch at Sherburn road in said Newton southerly with said Ditch to an other Ditch in a swamp, thence southerly to a Black Oak Tree marked then keeping the same Course till it strikes the land of the said Stephen Cook having thus severed the land of the Daniel from that of the said Stephen the land of the said Daniel Containing about six acres with a small Dwelling House & barn thereon and is bounded Westerly by the above described line Northerly by said Sherburn road Easterly and Southerly by Land of the said Stephen which we apprize at two hundred Dollars
dollars: 200.00

all which is humbly Submitted
We the Subscribers have seen
the above described line that
severs the land of the said Daniel
from that of the said Stephen
and are fully satisfied therewith

Abner Sanderson)
Nathan Fuller) Commiss[ioner]s [signed]
Joshua Fuller)

Joshua Jackson Jur' Admin[istrato]r [signed]

Middlesex &c Cambridge in Probate Court 2d Nov[embe]r AD 1796 I accept of this report &
order that it be recorded. Oliver Prescott J prob[ate] [signed]

2 Nov 1796 – Court Accepts the List of Debts and Certifies Real Estate for Sale

To the Hon, Oliver Prescott Esquire Judge of Probate & in & for the County of Middlesex, 5th
Oct, 1796

The following is a true list of debts (according to the best of my knowledge) against the estate of
Daniel Fuller late of Newton yeoman deceased Vi[delicet]

To Capt. Joseph Fuller	£133.34
To William Hunt Esq[ui]re	<u>8.74</u>
	142.08

Personal Estate	Dollars 26.00
Real by last appraisal	200.00

Middlesex ss:

Cambridge in Probate Court, 2 Nov. 1796,

*Joshua Jackson Ju[nio]r the Adm[inistra]tor having made oath to the foregoing list of debts
before me, I order that it be filed & certified for sale of the Real Estate*

[signed] Oliver Prescott J. prob.

26 Dec 1796 – Bond / Court Orders the Sale of Part of Real Estate

KNOW all Men by these Presents, That we

Joshua Jackson, yeoman, as principal, Nathan Fuller Esq[uires], as surety, both of Newton, & John Brown of Cambridge Esq[uires], as surety, all of the County of Middlesex & Commonwealth of Massachusetts

are holden and stand firmly bound and obliged unto *Oliver Prescott Esq[uires]*, his Successors or Assigns, in the full Sum of *Thirty Thousand Dollars Pounds* unto the said *Oliver Prescott Esq[uires]*, his Successors or Assigns, in the Office of Judge of the Probate of Wills, and for granting Letters of Administration on the Estates of Persons deceased, in the said County of *Middlesex*, To the true Payment whereof, we jointly and severally bind ourselves, and our several and respective Heirs, Executors, and Administrators, firmly by these Presents. Sealed with our Seals. Dated the *twenty Sixth Day of December* in the Year of our LORD One Thousand Seven Hundred and Ninety Six

THE Condition of this above-written Obligation is such,

That whereas the above-bounden *Joshua Jackson* in his Capacity of *Administrator of the estate of Daniel Fuller* late of *Newton* in said County *yeoman* deceased, *intestate*, at the Court of *Common Pleas* holden at *Cambridge* within and for the said County, on the *last Tuesday in November* last, *by adjournment* obtained Licence to make Sale of a Part of the real Estate of said deceased, in order to discharge his just Debts

NOW therefore, if the said *Joshua* shall in all Things relating to such Sale govern *himself* by the Laws of said Commonwealth, so that the Interest of all Creditors and Heirs shall be best secured, and moreover shall well and truly apply to the Proceeds of such Sale (or so much thereof as shall be necessary) for the Purpose aforesaid, and for the Overplus (if any be) shall be responsible to the lawful Heirs or Legatees of the said deceased, and thereof, and of his whole Proceedings in the Premises, shall render (upon Oath) a just and true Account to the Judge of Probate, for the Time being, of the same County, when and so often as he shall be thereunto lawfully required:

Then the above-written Obligation to be void, otherwise to abide in full Force and Virtue.

One word being first erased & two words inserted

Joshua Jackson jun[ior]

Nathan Fuller

Sealed and Delivered
in Presence of
William Bradish
James Winthrop

John Brown

Middlesex &c Cambridge 26 Dec[embe]r AD 1796

personally appeared Joshua Jackson & took the oath prescribed by a law passed 9 March 1784 for persons selling land by leave of Court. Before me Nathan Fuller Justice of peace

5 April 1797 – Administrator Presents the Court with his Account (of the money)

Middlesex

The account of Joshua Jackson Jun[io]r Administrator of the Estate of Daniel Fuller late of Newton Yeoman deceased Vi[delice]t

The said Adm[inistrato]r chargeth himself with the last Inventory of the personal Estate	\$26.00
D[itt]o the rent of the real estate 9 months	15.75
By Sale of the real estate to Stephan Cook	202.00
D[itt]o of Ab[raha]m Fuller Esq 36/8 of W[ilia]m Fuller 13.3.0	14.19.08
A Noot [note] against Wil[lia]m Fuller wich is Du[e]	27.03.04
[Subtotal]	\$243.75
Said Adm[inistrato]r prays allowances of the following Discharges: Vi[delice]t	
paid to Capt. Joseph Fuller	142.89
I allow the widow for her nursary support [Judge wrote]	26.00
Other estate settlements	73.70
[Subtotal]	242.59
Balance in Administrator's hand assigned to the Widow's support	1.16
	D[ollars] 243.75

Middlesex ss:

Cambridge in Probate Court, 5 April AD 1797,

Having examined this account, seen the vouchers, sworn the administrator, Joshua Jackson J[unio]r .

I allow there of & order that it be recorded.

[signed] Oliver Prescott J. prob.

Source:

Middlesex County, MA: Probate File Papers, 1648-1871. New England Historic Genealogical Society online database, 2014. From records supplied by the Massachusetts Supreme Judicial Court Archives, Boston, MA, USA