

**Joseph Fuller of Newton, Commonwealth of Massachusetts, USA**

**Petition before the Probate Court, 2 Mach 1813**

Middlesex County Probate Court

Reference: Case Number 8762

**Final Probate Record, 3 June 1814**, Cambridge, Middlesex,

Commonwealth of Massachusetts, USA

(Born 29 July 1751 - Died 23 Feb. 1813)

(*Joseph*<sup>4</sup>, *Josiah*<sup>3</sup>, *Jeremiah*<sup>2</sup>, *John*<sup>1</sup> of Newton)

Transcribed by Wayne L. Fuller, July 2017

**[Note: Joseph Fuller 1751-1813**, died intestate (without a Will) and below are his Probate Court Records (transcribed) which tell us much about the immediate family of Joseph and his wife, Elizabeth Bacon Fuller. The names of his wife and children are consistent with information recorded in the Vital Records or History Books of Newton, MA.

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

**2 March 1813 Petition the Court by Elizabeth Fuller**

Commonwealth of Massachusetts

To the Hon. James Prescott, Esquire, Judge of the Probate in the County of Middlesex.

I, Elizabeth Fuller of Newton in said County, widow, hereby notify to your Honor, that Joseph Fuller late of said Newton, gentleman, within ten days past, died, at said Newton, intestate, and had and possessed of real and personal estate in said County; that I am the widow of said intestate; that I hereby distinguish my right to the administration of said deceased's estate; that said deceased left only nine children; that Joel Fuller of said Newton, yeoman, the eldest son of said deceased, and Nabby [Abigail] Jennings, the wife of Ethel Jennings of Needham in the County of Norfolk, are the only children of said deceased, who are of age; that said Joel Fuller is suitable person to administer the estate of said deceased and I, therefore pray your Honor to appoint his administrator thereof.

Newton, March the 2 A.D. 1813. [signed] Elizabeth Fuller

## 16 Mar 1813 Petition to the Court by Joel Fuller

To the Honorable *James Prescott* Esquire, Judge of the Probate &c. in and for the county of Middlesex in the commonwealth of Massachusetts.

**The Memorial of** *Joel Fuller of Newton in the said County yeoman*

Humbly showeth, That *Joseph Fuller late of said Newtongentleman, deceased, within one month late past died intestate that he lase dwelt in said County at the time of his decease was seized & possessed of Goods & estate in said Commonwealth which ought to be administered, that his widow has in writing renounced her claim to administer & prayed that said Joel may be appointed.*

That your memorialist is a suitable person and well qualified for the trust *and is eldest son & next of kin to said deceased*

And ready to give bond with sufficient sureties to your honor's satisfaction, as the law in such case requires, for the due performance thereof. Wherefore your memorialist prays, that your honor will be pleased to appoint *him administrator* as abovesaid. And your memorialist, as in duty bound, will ever pray, &c.

[singd] Joel Fuller

## COMMONWEALTH OF MASSACHUSETTS

Middlesex, sc. *Cambridge* In Probate Court the *sixteenth* day of *March* A.D. 1813

**THE** foregoing memorial being read and fully understood, and all needful inquiries made, and it appeared to me, the Judge of said court, that the declarations thereof are true, and that the memorialist is a suitable person to be appointed *Administrator to said estate*

It is therefore decreed by me, the said Judge, that *he* be appointed *Administrator* as prayed for, *he* giving bond with sufficient sureties, as the law requires for the due performance thereof.

[signed] James Prescott, J. Prob.

## 16 March 1813 Appointing Appraisers to take an Inventory of Estate

### COMMONWEALTH OF MASSACHUSETTS.

Middlesex ss. The Honorable *James Prescott Esq.*

Judge of the court of Probate in and for the county of Middlesex aforesaid.

To *Ezra Fuller gentleman, Henry Craft & George Stearns yeoman, all of Newton in said County*  
**Greeting.**

**You** are hereby appointed and empowered, three suitable persons to take an inventory of all the estate whereof *Joseph Fuller* later of *Newton* in said county of *Middlesex, gentleman deceased, intestate* died seized and possessed in the county of *Middlesex and Commonwealth* aforesaid; and, according to your best skill and judgement truly and justly to apprise the same, as soon as may be, in dollars and cents, according to the present value thereof, being first sworn to the faithful discharge of that trust; and when you shall have completed the said inventory, as aforesaid, you are to deliver the same, together with this warrant, with your doings thereon, sealed up, to the *Administrator* of the *estate* of the said deceased, who is hereby accordingly directed so to return and exhibit the same, on oath, into the Probate Office of the said county of *Middlesex*, within three months from the time of taking upon himself that trust.

**Witness** the said *James Prescott* Esq. Judge as aforesaid, under his hand and seal official, this *sixteenth* day of *March* in the year of our Lord one thousand eight hundred and thirteen

By order of the Judge *James Prescott*

[signed] *James Winthrop* Reg[istra]r.

**Middlesex ss. March the 31 A. D. 1813**

THEN the abovenamed *Ezra Fuller, Henry Craft and Gorge Stearns*

Personally appeared and made oath, that *they* would faithfully and impartially discharge the trust reposed in them by the foregoing warrant,  
Before me, [signed] *Nathan Fuller*, Justice of the Peace

**13 April 1813                      Inventory**

An Inventory of the Estate of *Joseph Fuller* Late of *Newton* in the County of *Middlesex*, dec[ease]d appraised upon oath by us the subscribers duly appointed to that service by order of the Hon *James Prescott* Esq. Judge of Probate of wills, etc. for said county, viz.

Real Estate

The homestead of said deceased, situated in said <i>Newton</i> containing about	
Seventy Acres with the buildings thereon appraised at	\$2500.00
A Pew in the West Meeting-house in said <i>Newton</i>	<u>70.00</u>
	\$2570.00

Personal Estate

Blue Great Coat \$2..50 Dark Coat 2.00, Black Coat 1.50	6..00
4 Waistcoats 3..00. 1 pr Small Clothes 1..00. 1 pr Pantaloons ..50	4..50
3 Shirts 3..50. 1 Frock ..60. Mothers Gloves ..75 Stockings ..75	5..60
1 pr Boots 2..00. 2 pr Shoes 1..00. 2 Hats 2..25	5..25
1 Bed. Bedstead. Coverlet, Blanket, pr of Sheets Pillows & Legs	20..00
1 Bed. Bedstead. Coverlet, Pillows & 1 Bedstead ..50	10..50
1 Bed. Bedstead & Coverlet 9..00. 1 Bed. Bedstead & Coverlet 20.00	29..00
4 pr Sheets 9.50. 5 Towels ..50. 4 Strainers ..67.	10..67
4 pr Pillow cases ..40. 3 Table cloths 1..50. horn 14..00	15..90
1 Foot Wheel ..25. Old Iron in the Garret 1..00	1..25
Old Lumber in the Garret 1..00. 1 Chest & Contents 1.00	2..00
Old Draws ..50. Table ..50 Old Chairs 1.00. Cloths Basket .67	2..67
Lumber box 2..00. Rye 5..50 Barley 3..00 Malt 1..00	11..50
Lumber in the Chamber 1.25 Meat bags 1.33 Watch 4..50	7..08
Andirons, Shovel & Tongs 1..75 3 Maple Tables 1..50	3..25
Maple Desk 3..00 Foot Wheel 1..50. Candle stand ..25	4..75
9 Chairs 3..00 Desk 5..00 Table 2..50 Large Glass 3..75	14..25
Small Glass 1..25 Mahogany Table 3..00 Bible 1.00	5..25
Books 1..25 3 Leather bottom Chairs 1..50. 7 Common D[itt]o 2..75	5..50
Amount carried Over	<u>\$164..92</u>
[page2]	
Amount Brought over	\$164..92
Crockery ware 2..00 Glass ware ..50 11 Earthan milk pans 1.10	3..50
Glass bottles .92 Earthan pots ..50 Iron Logs ..75 Wooden boxes ..50	2..67
Flax Comb 1..00 Scales & Weights ..50. 2 pr Cards 1..00 Lard 4..25	6..75
3 Pails .50. 2 pr of Steel yards 1..50. 1 Gun 5..00 Hunting D[itt]o 3..50	10..50
Pewter ware 6..32. Tin ware 1..00 Knives & Forks 1..50	8..82
Flatirons .50. Candlesticks .50. Brass kettle 5..00. Iron ware 1.80.	7..80
Bell meath Skillet 1..00. Gridiron, Toasiron & Frying pan 2..00.	3..00
Sickles 1..00. Axes, Billhooks & Hammers 2..75 Sled 2..50.	6..25
Old Lumber 5..00 Ox Cart 10..00 Grindstone 1..50	16..50
2 Iron bars 4..00. 2 Steel traps 1..50 Wheelbarrow 2..50	8..00
Cask of Vinegar 4..50 Old tools 2..00 Mortise bx .75	7..25
Hemp Comb .40. 9 Baskets 2..50 Ox Yoke 1..00	3..90
Collar, Hairns & Traces 4..00. Cheese Press 1..50. Float Plank 3..00	8..50
Old Lumber in the shop 1..00. Plank & Joist 4..00. Old Iron 1..50.	6..50
1 Timber Chain & other Chains 9..00. 2 Riddling Sieves 1..25.	10..25
Beetle & Wedges 1..50. 5 Cider Barrels 2..50 Churn .50.	4..50
Silver spoons 1..50. Hand vice, Spoon & Bullet Moulds 1..00	2..50
2 Ploughs 9..00. 2 Harrows 6..00 Wheelbarrow 1.00. Chaise 18.00.	34..00
Forks & Racks 1.00 Shovels, Dung fork & Hoe 2.25 HorseCart 8.00	11..25
English Hay 60..00. Swail Hay 9..90. Corn stacks 3.00.	72..90
1 Cow 19..00. 4 Ditto 25..00, 25..00, 21..00. & 15..00	105..00
3 Heiffers 30..00. 1 Yoke of Oxen 75..00. 2 Hogs 20..00 Cider 16..00	143..00

5 Casks 2..00. 1 Lumber Sleigh 1..50. 3 Legs Bacon 4..80	8..30
1 Barrel Pork 20..00. Cheese Tub 1..25. 2 Pork Tubs 1..50	22..75
Casks in the West Cellar 7..00 Cheese 4..80 Potatoes 9..50	21..30
Casks in the East Cellar .50 Bottles .25	<u>..75</u>
[Total]	\$701..46

Newton April 13. 1813

[Signatures]

Ezra Fuller )  
Henry Craft ) Appraisers  
George Stearns)

**COMMONWEALTH OF MASSACHUSETTS.**

**Middlesex ss. At a Court of Probate, holden at Concord** in and for said county, the *thirteenth* day of *April* A.D. 1813

The foregoing having been duly returned, and this day exhibited, on oath, by *Joel Fuller administrator* of the *estate* of the said deceased, as a true and perfect inventory of all the estate of said deceased, that has hitherto come to *his* hands, possession, or knowledge; and the said *administrator* having made oath, that if any further estate of said deceased shall hereafter come to *his* possession or knowledge, *he* will render a just and true account thereof into the Probate office, to be of record herewith: It is therefore decreed by the Judge of said Court now here, that the same be, and it is hereby accordingly accepted, and ordered to be recorded.

[signed] James Prescott, J. Prob.

**13 April 1813 Petition to the Court by Elizabeth Fuller, Widow**

**To the honorable James Prescott, esquire, Judge of the court of Probate for the county of Middlesex, in the Commonwealth of Massachusetts,**

Humbly shows *Elizabeth Fuller of Newton* in the county of Middlesex, widow that *Joel Fuller of Newton* in the county of *Middlesex yeoman, is administrator of the estate of Joseph Fuller late of Newton* in the county of *Middlesex, gentleman,* deceased, intestate; that she was the lawful married wife of the said *Joseph Fuller,* at the time of his death; that the personal estate of said deceased will not be sufficient to pay his just debts and funeral charges, or that there will be little or no surplus left; and that she is nevertheless entitled to here apparel and such other of the personal estate of said deceased, as your Honour shall determine necessary, according to her quality and degree.

Whereof the said widow prays your Honour to allow her such part of the personal estate of said deceased, as you shall judge fit and reasonable, pursuant to the law in such cases made and provided Dated at *Concord* this thirteenth day of April, A.D. 1813  
[signed] Elizabeth Fuller by Abraham Hilliard, her att[orne]y.

## COMMONWEALTH OF MASSACHUSETTS.

**Middlesex ss. At a Court of Probate, holden at** *Concord* in and for said county, the *thirteenth* day of *April* A.D. 1813

Having made all needful inquiries, touching the forgoing petition, and fully understanding the same, it appears to the Judge of said court, that the said widow is entitled to here reasonable allowances, as therein prayed for.

It is therefore decreed by the said Judge now here that the said widow have and receive, to her own use, such articles, beside her apparel, out of said deceased's personal estate, as she may have occasion for, to the amount of *four hundred* dollars [\$400], according to the appraisal thereof in the inventory of said estate, which shall not be assets in the hands of the *administrator*.  
[signed] James Prescott J. Prob.

### 13 April 1813 Court Order Allow Elizabeth Fuller her Possessions from Estate

**Middlesex, ss. Commonwealth of Massachusetts.**

**To** *Joel Fuller of Newton* in said county of *Middlesex* and more of the estate of *Joseph Fuller* late of *Newton* in the said county of Middlesex, gentleman, deceased intestate, GREETING

WHEREAS it hath appeared to the honorable *James Prescott*, esquire, Judge of the court of Probate for the county of Middlesex, that the personal estate of said deceased will not be sufficient to pay just debts and funeral charges, or that there will be little or no surplus left: You are therefore hereby *ordered to pay and deliver to Elizabeth Fuller, the widow of the s[ai]d intestate for her own use, such articles, besides her apparel as she may have occasion for, out of the personal estate of said deceased, to the amount of four hundred dollars, according to the appraisal thereof in the inventory of said estate, taking her receipt for the same, which, not being asses in your hands, shall be allowed to you in your account of administration upon said estate, and make return hereof with your doings thereon, with all convenient speed.*

Witness the said *James Prescott*, esquire, Judge as aforesaid, under his seal official, as *Concord* this *thirteenth day of April* in the year of our Lord one thousand eight hundred and thirteen.

[signed] James Prescott, J Prob.

### **13 April 1813 Court Order to Sell Personal Estate by Public Sale**

#### **COMMONWEALTH OF MASSACHUSETTS.**

**Middlesex, ss.**

**To Joel Fuller of Newton** in said county, *yeoman, adm[inistrat]or of the estate of Joseph Fuller* late of *Newton* in the said county of Middlesex, gentleman, deceased intestate, GREETING

WHEREAS it hath appeared to the honorable *James Prescott*, Esquire, Judge of the court of Probate for the county of Middlesex, that it will be most for the benefit of those concerned in the estate of said deceased, that the whole of the personal estate of said deceased, whereof no special disposition hath already been duly made, should be sold: *at public sale*.

You are therefore hereby directed to make sale of the same at public sale, giving public notice of the time and place of the sale at least previous thereto, by posting up notification thereof in two or more public places in the said town of Newton and in two adjoining towns, and to account on oath with the said Judge for the proceeds thereof, as the same shall be sold, and make return hereof with your goings herein, together with a true and perfect account of the said sale, with all convenient speed.

Witness the said *James Prescott*, esquire, Judge as aforesaid, under his seal official, as *Concord* this *thirteenth day of April* in the year of our Lord one thousand eight hundred and thirteen.

[signed] James Prescott, J Prob.

### **15 June 1813 Petition to the Court by Elizabeth Fuller Re: Dower Rights**

**To the honorable *James Prescott*, Esquire, Judge of probate &c. for the county of Middlesex.**

The petition of *Elizabeth Fuller of Newton in the county of Middlesex, widow* Humbly showeth,

THAT your petitioner is the widow of Joseph Fuller Late of Newton in said county, gentleman, deceased, intestate; and in virtue thereof is entitled to her dower in his real estate, which your petitioner is desirous to have set off, that it may be held and improved in severally:

Wherefore your petitioner prays, that your honour will be pleased to appoint commissioners to set off her third part of said real estate for the purpose aforesaid; and your petitioner, as in duty bound, will ever pray.

[signed] Elizabeth Fuller

**COMMONWEALTH OF MASSACHUSETTS.**

**Middlesex ss.** Framingham, in **Probate Court**, *June 15<sup>th</sup>* A.D. 1813

Having duly considered the foregoing application, it is decreed by me, the Judge of said court, that the prayer thereof be granted; and that

*Nathan Hastings, gentleman, Ezra Fuller, gentleman and George Stearns, Yeoman, all from Newton in the said County and sufficient and dis-intrusted freeholders in said County,*

Be appointed commissioners for the purpose prayed for, and commissioned accordingly.

[signed] James Prescott J. Prob.

**15 June 1813 – Court Order to Inventory the Real Estate and Set off Dower Rights**

**TO** *Nathan Hastings, gentleman, Ezra Fuller, Gentleman, and George Stearns, Yeoman, all of Newton in the County of Middlesex and of the Commonwealth of the Massachusetts, and sufficient Freeholders, in said County* **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 Apprize all the real estate where of *Joseph Fuller* late of *Newton* in said County *gentleman* deceased, intestate, died seiz'd and possess'd (in said Commonwealth) in his own proper right in fee simple;

each piece and parcel by itself, with their names of distinction, buts and bounds, and number of acers, at the present true value thereof in lawful money, all in words at length.

When you have thus perfected your inventory, you are to set off to *Elizabeth Fuller*, the said deceased's Widow one full third part of the said estate (so as may be convenient to her) for her dower or thirds, during natural life; and what you so set off you are to describe by plain and lasting meets and bounds, that so confusion may be prevented upon the reversion of the dower.

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 thereon, 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 *fifteenth* day of *June* in the year of our Lord one thousand eight hundred and *thirteen*. [signed] James Prescott J. Prob.



*Middlesex ss Newton August 17<sup>th</sup> 1813*

*Apeared[Appeared] Nathan Haisting[Hasting] Ezra Fuller and Gorge Stearns and made Sollom[solemn] oath that they would fullfile[fulfil] the Dutey[duty] of the above Commission according to their Best Skill and Judgment.*

*Before me Nathan Fuller Justice of the peace*

### **18 Aug 1813 Inventory Real Estate and Set Off Dower Rights**

[To] the Hon. James Prescott Esq. Judge of Probate Wills &c. in & for the County of Middlesex.

Pursuant to the Warrant from you Honour to us directed, We the subscribers, have been first sworn as the Warrant directs and having notified all persons concerned. Living within this Commonwealth but not any of them were present except Elizabeth Fuller Widow & Joel Fuller Sin of Joseph Fuller late of Newton in the County of Middlesex, Gentleman dec[ease]d intestate; have appraised all the Real Estate whereof the said Joseph Fuller died seized & possessed of in this Commonwealth as follows viz.

The Homestead scituated [situated] in said Newton containing Seventy Acres, more or less, bounded as follows viz.

Westerly on Charles River,

Northwesterly on Land of Abraham Pierce & David Marshall Spring:

Eastwardly in land of said Spring, Henry Craft, William Thompson Esq.,

Moses White, George Stearns, & Walter Welsh:

Southwardly on land of Henry Craft and Josiah Knapp:

with the Buildings standing thereon valued at Twenty five hundred dollars \$2500.00

Also on Pew in the Est Meeting House in said Newton: Bounded

Southwardly and Westwardly on Aisles Northwardly on the Body seats:

Eastwardly on the Lew belonging to Ezra Fuller valued at Seventy five dollars

\$78.00

[Total]

\$2575.00

We then set off to Elizabeth Fuller widow of the said dec[ease]d one third part thereof as her Dower, as follows viz.

Beginning at the Southeastwardly corner of the lot called the piece behind the hovel on the Town road running by said road until it comes to a stone wall which divides said piece from the piece called Mc piece behind the Barn then turning and running Southwesterly by sais wall about Ten feet to the Northeast corner of the old shop, then turning & running West on said shop to the Northwest corner then turning & running South by said

\$500.00

shop to the Northeast corner of the Dwelling house and by the East end of said house to the Elm Tree marked about sixteen feet from the Southeast corner of said House then turning & running Westwardly on a line parallel with s[ai]d House to an Elm Tree, mark about twenty feet then turning & running North to the West wide of the Front Door then through said House on a line parallel with the East end of said House to a stake & stones Ten feet from the North side of the House, including the East afor[esai]d of the House and the Cellar under the same and as far West as the bottom of the Cellar stairs in the front entry reserving to the Ocupants of the West end of the House and Right to improve the Kitchen as far east on the West side of the Back door, and the Garret over the East end of the House; reserving to the ocupants of the east end of the House the right to pass & repass through the Kitchen to go up the back Stairs into the Chambers, and down the back stairs into the Cellar until the Ocupant of the West end of the House shall think proper to erect a convenient Stairs in the front entry to go into the Chambers at which time the right to pass through the Kitchen shall cease; the front entry & stairway to be in common for the ocupants of both parts of the House to improve. The occupant of the West end of the House shall have the right to pass & repass in at the Great Cellar doors & through the East Cellar until the Ocupant of the east end of the House shall think proper to erect a convenient pair of larg doors at the West end of the House at which time the right to pass into the West cellar through the east doors shall cease. Also the occupant of the West end of the House shall have the Right to improve the Well in common with the occupant of the east end of the House and to pass & repass, to the town road, behind the House. Then turning running from the stake & stones before mentioned West in a line parallel with the House to a stake & stones set in a line drawn parallel with the House twenty feet from the west end of said House; then turning & running South by said line to a stone wall which is the North of the lane leading from the House to the Barn; then turning & running West by s[ai]d wall to the Barnyard wall then turning & running South west by said Barnyard wall untill it comes to a stake & stones set ranging with the East end of the Barn; then turning & running by said Barn to a stake & stones set thirty feet from said Barn on the North side; then turning & running Westwardly on a line parallel with the North side of said Barn to a stone wall which divided the Old field from the piece behind the Barn; then turning & running Northwardly by s[ai]d wall until it comes to a wall which divides the old field from the Pine pastures; then turning & running westwardly by S. wall to Charles River: then turning & running by C. River to the land of Abraham Pierce then turning & running Eastwardly by said land about four rods then turning and running by land of Marshall Spring about Twenty feet to the fence which divides sais Spring's Land from the North side of the Pine Pasture, then turning & running Eastwardly by said Fence to the Fence which divided the said Spring Land from the East side of said Pine Pasture; then turning & running Southwestwardly by said Fence to the first mentioned bounds.

Also the East end of the Barn as far west as the East side of the Great doors on the North side of said Barn and Scaffold in the front of said doors with the right to use the Barn floor in Common with the Occupant of the West end of said Barn and the right to pass & repass on the land on the North side of said Barn ..... valued at Five Hundred dollars

Also a Woodlot bounded as follows viz.

Beginning at the South West corner of the piece of land called the piece before the Barn then running by the wall which divided said piece from the Wood lot to a stone wall which divided said lot from Land of Henry Craft, then turning & running South by said wall Thirty rods to a stake & stones; then turning & running West twenty seven rods on a line parallel with the wall which divides the wood lot from the piece before the Barn; then turning & running Northwardly to the first mentioned bounds; with the privilege to pass & repass with or without a team to said lot on the Westwardly side of the piece before the Barn in the River Pasture through Gates & Barn. Valued at Two hundred & seventy three dollars and thirty three cents.

\$273.33

Also one other piece of land called the Bottom containing about two acres more or less bounded as follows viz.

Beginning at the Southeast corner of said Land on Charles River then running Eastwardly by a stone wall which divides said Pasture from the old Field; then turning & running Northwardly by a wall and Fence which divides said Old Field from said Bottom to a Fence which divided the North side of said Bottom from the Old Field; then turning & running westwardly by said fence to Charles River; then turning & running southwardly by said River to the first mentioned bounds with the right to pass & repass to & from lot with or without a Team through the River Pasture through Gates & Bars Valued at Sixty dollars

\$60.00

Also two seats in the Eastwardly part of the Pew in the West Meeting house in Newton as before described valued at twenty five dollars

\$25.00

Amounting in the whole to Eight Hundred and Fifty eight dollars & thirty three cents

\$858.33

The lane leading from the town road to the Barn yard to be open as far as the line drawn with the East end of the Barn to the wall between the fence before the Barn & the River Pasture to be used in Common. Also all the land on the East & south sides of the House as it is now fenced for the use of both occupants to lay Wood &c. Also the land under the Old Shop whenever it shall be removed or destroyed [destroyed]

Newton Au[gus]t 18, 1813

[signed]

Nathan Hastings)

Ezra Fuller ) Appraisers

George Stearns )

**We the subscribers Heirs at law** to the Estate of Joseph Fuller late of Newton dec[ease]d do hereby verify that we are satisfied with the above proceedings

[signed]

Joel Fuller

Elizabeth Fuller ) Widow of said deceased

Ethel Jennings [husband of Abigail “Nabby” Fuller, daughter]

Nabby Jennings

Henry Craft ) Guardian to Edmund, Mindwell, Jeremiah, Sumner, Maria, Jane & Seth  
                  ) Fuller

**Middlesex sc. Cambridge in Probate Court 2 Sept, AD 1813**

*The foregoing reporting presented for my allowance, & all due inquiries being made, & it & cet. Appearing to me the Judge of said Court that it is just & satisfactory to all concerned;*

*It is therefore decreed by me the said Judge that it be accepted, allowed & recorded and that the Widow’s dower in said estate, be & thereby is assigned according thereto.”*

[signed] James Prescott, J Prob.

**2 June 1814 – Administrator’s Account (of Finances)**

**Commonwealth of Massachusetts**

The first account of Joel Fuller of Newton in the County of Middlesex, yeoman, administrator of the estate of Joseph Fuller late of said Newton, gentleman, deceased, intestate:

The accountant charges himself with the personal estate of said deceased, which, by the inventory thereof duly exhibited, on the thirteenth day of April A.D. 1813, amounts to:	\$701.46
With things, which came to the knowledge and possession of said administrator after the taking of the inventory; which things as they were sold at public auction, in pursuance of a license from the Hon. Judge of Probate, are with their respective values, as follows, viz. [not listed, but total of, including items sold for more than inventory value]	\$723.40
And said administrator states, that, by virtue of a license granted by the Circuit Court of Common pleas, for the middle circuit, at their December term, A.D. 1813. He did, on the 24 <sup>th</sup> day of March last past, sell, at public auction, the whole of said deceased’s real estate except the widow’s dower, as herein after stated, and he now charges himself with the proceeds of the	\$1760.00

sale; as follows, viz.

a tract of land, with a dwelling house barn and potter's shop thereon, situate in said Newton and containing about 70 acres, exdepting said deceased's widow's dower, from said tract of land and buildings, and including the revision of said dower, to Seth Bemis of said Newton, trader, for [including rent of the farm prior to the sale]

Also all that part of a pew in the Rev[eren]d W Greenough's meeting house in said Newton, not set off to the widow for her dower, and the revision of said dower, which pew is bounded, southwardly and westwardly on aisles, northerly on the body seats and eastwardly on a pew belonging to Ezra Fuller & Nathan Park of said Newton, yeoman, for [Total Income] D [ollars]

\$40.00  
2523.40

And said accountant prays allowances, as follows, to wit; [not detailed]

1115.43

Balance of Admin[istrato]r's hands

1407.97

**To the Hon. James Prescott, Esquire,** Judge of Probate in and for said County.

I the subscriber, hereby notify, that I am the guardian of Jeremiah Fuller, Minda Fuller, Sumner Fuller, Maria Fuller, Jane Fuller and Seth Fuller, all minors and children of said Joseph Fuller deceases; that I have examined the foregoing account and the vouchers thereof; that in my opinion, the same is just and reasonable and I hereby pray you Honor to allow the same.

June 2<sup>nd</sup> A.D. 1814. [signed] Henry Crafts

**COMMONWEALTH OF MASSACHUSETTS.**

**Middlesex ss. At a Court of Probate, holden at Cambridge** in and for said county, the *third* day of *June* A.D. 1814

**HAVING** examined and adjusted the foregoing *account* exhibited by *Joel Fuller*

The *Administrator* above named,  
after citation and due notice to all persons interested in said estate, & *the guardian for the minor children having certified his consent hereto*

the said *Administrator* having this day made oath, that said account is just and true, and having seen and fully understood the vouchers and evidence touching the same, and made all needful inquiries relative thereto, it appears to the Judge of said court, that the said account is just and reasonable, and ought to be allowed; it is therefore decreed by the said Judge now here, that the same be, and it is hereby accordingly approved and allowed, and ordered to be recorded.

[signed James Prescott J. Prob.

**3 June 1814 Court Orders Distribution of funds from the Estate  
COMMONWEALTH OF MASSACHUSETTS.**

At a Court or Probate holden at *Cambridge*, within and for the county of Middlesex, on the *third* day of *June* A.D. 1814.

WHEREAS it has appeared to the Hon. *James Prescott* Esq. Judge of the said Court, from the account of *Joel Fuller* this day allowed as *Administrator* of the *estate of Joseph Fuller late of Newton* in said county, *gentleman* deceases intestate, that all the debts and charges already arisen against said estate are fully paid and satisfied, and that a balance still rests in the *Administrators* hands, amounting to the sum of *Fourteen hundred & seven Dollars & ninety seven cents*

which is to be distributed to and among *the children* of said deceased, after paying such charges as may hereafter arise.

It is therefore decreed by me the said Judge, that said *Administrator* distribute and pay out the same as follows:

	Dolls Cts.
That he retain his own tenth (Joel)	140..00
That he pay to Edmund Fuller a son	140..00
That he pay to Minda Fuller a daughter	140..00
That he pay to Jeremiah Fuller a son	140..00
That he pay to Sumner Fuller a son	140..00
That he pay to Maria Fuller a daughter	140..00
That he pay to Jane Fuller a daughter	140..00
That he pay to Seth Fuller a son	140..00
That he pay to Ethel Jennings in right of his wife, Nabby a daughter of the dece[ase]d	140..00
That he pay to the children of the deceased's son Joseph, who is also deceased viz.	
Joanna Fuller	70..00
Adelphia Fuller	70..00
That he (Joel) retained for future charges	<u>7..97</u>
[Total]	\$1407..97

All which sums amount to the aforesaid balance, and are to be paid to them or to their respective legal representatives.

Witness the said *James Prescott* Judge as aforesaid, under his hand at the Court aforesaid.

[signed] James 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.