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Wills of Early New York Jews (1704–1740)

By LEO HERSHKOWITZ*

INTRODUCTION

Provisions for the probate and filing of wills in colonial New York were made as early as the Dukes Laws of 1665. Wills were to be proved by the Court of Assizes or Court of Sessions and returned to the Office of Records at New York for filing. The “Clarke” of the Court of Sessions was given the responsibility for entering them for a prescribed fee. The Dongan Charter of 1683 provided that written wills attested to by “two Credible Witnesses” would be effective as conveyances for the transfer of title to land. In 1691, three witnesses were required. A year later, authority to probate was granted to the “Governor or such Persons as he shall Delegate,” except that in those counties remote from New York the Court of Common Pleas was empowered to take the examination of witnesses to the will and to certify the same to the Secretary in New York so that probate could be granted. Most often the Secretary of the Province was delegated to probate and under an enactment of 1709 was given fees for in-grossing, probating, and recording wills. He was paid by the line which probably affected the writing of documents most of which are redundant.¹ The Governor, however, on occasion delegated someone other than the Secretary to probate and also on occasion did so himself, thus retaining the fees. There is some evidence that a regular office of Surrogate existed in colonial New York, but if it did it was on an *ad hoc* basis.²

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¹ *Colonial Laws of New York* (Albany, 1896), vol. I, pp. 34, 75, 114, 247, 302 and 639.

² The Joseph Bueno will is an example of the Governor acting as surrogate, as was his prerogative. Thomas Wenham, former Collector and Receiver General of the Province, signs as surrogate in the probate of the Esther Brown will, but no such office is mentioned in the Colonial Laws or in the Civil List. Some references to a surrogate, however, do exist. In 1769, Sir Henry Moore appointed Philip Livingston, Jr. as Surrogate and Registrar of the Prerogative Court. E. B. O’Callaghan and Berthold Fernow, eds., *Documents Relative to the Colonial History of the State of New York* (Albany, 1856–1887),

Since the early colonial laws provided for the filing of all wills in New York City, the original wills of the city, parts of Orange, Westchester, Richmond, Kings, Queens, and present day Nassau and Suffolk are presently under the jurisdiction of the Surrogate of New York County. The oldest extant wills dating from 1664 to 1736 are presently located in Room 303 of the Surrogate's Court at 32 Chambers Street, New York City. Recently the Surrogate permitted the transfer of a large body of wills dating from 1736 to 1820 to the Historical Documents Collection of the Paul Klapper Library, Queens College where they are being preserved and indexed. Others were found in the Clerk's Office of the Court of Appeals, Albany, and in the case of the Joshua Isaacs Will the original is in the Museum of the City of New York.

Copies of wills, known as will libers are in Room 402 of the Surrogate's Court. These libers while containing a record of most Jewish wills omit some which exist in the original, e.g. Moses Levy, and also contain numerous errors made by the copyists of the nineteenth century. The wills in the libers have been abstracted by the New-York Historical Society and published as part of their collections. While useful, these abstracts contain errors of omission and commission.³

Few records such as those of birth, marriage, and death relating to Jews have survived from the Colonial and Federal periods. Perhaps they were destroyed, but more likely the smallness of their population and the close community spirit did not make such documents particularly necessary. Whatever the reason, those papers that do exist are all the more unique and important. Wills are for Jewish history a vital source of knowledge of economic and social life and are invaluable for genealogical reference. A study of the witnesses reveals that in many cases Jews had relationships with the

[=DCNY], vol. VIII, p. 187. In a very interesting letter written by Governor William Tryon in 1772 to the Board of Trade, the right of the Secretary to probate was questioned. Tryon cited the 1692 and 1709 laws as evidence of the Governor's right to probate. While not denying that the Secretary had proved wills from 1692 to "as low down as to the year 1766," he pointed out that the Governor had also constituted a Surrogate or Deputy in "constant succession" for the "business of the Prerogative Court." Tryon attacked the Secretary's Office claiming that one man filled too many jobs. He felt that in the growing community a division of office was necessary. *Ibid.*, pp. 322-327.

³ Lee M. Friedman edited a few of the abstracts in an article entitled "Wills of Early Jewish Settlers in New York," *Publications of the American Jewish Historical Society* [=PAJHS], vol. XXIII (1915), pp. 147-161. An index to the early original wills in the Surrogate's Court has been compiled by Kenneth Scott, "Early Original New York Wills," *New York Genealogical and Biographical Record*, vol. LI (1963), pp. 98-99 and 174-178.

leading members of the non-Jewish community, e. g. Jacobus Van Cortlandt and Phillip French, both former mayors, witnessed the execution of Abraham De Lucena's will and William Peartree and Ebenezer Willson, also mayors of New York, and Rip Van Dam, later President of the Governor's Council, as well as Governor Cornbury served as witnesses to the execution of the will of Isaac Rodriguez Marques, who was incidentally the wealthiest Jewish New York merchant of his day.

This article is the first of two in which all extant wills found in New York made by Jews up to 1800 will be edited and published so that for the first time this body of records will be available as a convenient reference. The editor has kept to the literal text and spelling except that for purposes of clarity, punctuation has been added in a few cases and diacritical marks (wriggle) and abbreviations expanded except in signatures. Empty brackets have been used where a word or words is missing or unintelligible and not conjecturable. Where the missing word is conjecturable it has been inserted in a bracket. Signatures and seals where they exist are included. The salutations and names of individuals appearing in the wills have been capitalized whether or not this is so in the original.

I

JOSEPH NUNEZ¹

[1704]

In the name of God Amen

Bee it known & manyfest unto all people that I JOSEPH NUNEZ of this City of new York Merchant considering my present Sickness the Shortness of this present life the certainty of Death & the uncertain time & hour thereof have thought fit to make & ordein these Presents to be my last Will & Testament in manner Following revoaking & hereby annulling all former Wills & testaments by mee made requiring these Presents to be only of Force after my Decease.

Imprimis

I do recommend my Soule to God that gave it me & my body to the Earth there to be decently buried in hopes of a glorious resurrecion at the last day And as for what Temporall Estate God of his mercy has been pleased to bestow upon mee my Debts being first paid is to be disposed of as Follows: I give and bequeath unto my brother SAMUEL NUNEZ² all my Estates whatsoever I have in this World without any reservacion whatsoever to be unto him his heires Executors & Administrators for Ever.

I do hereby nominate & apoint my true & Well beloved Friends PAUL DROILLET³ & LEWIS GOMEZ⁴ of this City Merchants to be Executors of

¹ Original Will no. 251, Clerk's Office of the Surrogate's Court, New York County, 32 Chambers Street, New York City; Will Liber 7, p. 624, also in the Clerk's Office; *Collections of the New-York Historical Society, Abstract of Wills* (New York, 1894) [=NYHSC], vol. II, p. 58. This Joseph Tores Nunez testament is the earliest extant probated Jewish will in the city archives. The will of Joseph Brown is written earlier, but can not be found except in copy (see following will). Nunez was an early merchant who died in New York City on October 2, 1704. He was very much interested in Jewish affairs and was one of the successful petitioners for a Jewish burial ground. David De Sola Pool, *Portraits Etched in Stone* (New York, 1953) [=Portraits], pp. 188-189; Elvira N. Solis, "Note on Isaac Gomez and Lewis Moses Gomez from an Old Family Record," *PAJHS*, vol. XI (1903), p. 142; *Minutes of the Common Council* (New York, 1905) [=Minutes], vol. III, pp. 447-448. An Inventory of Estate valued at £695.18.11½ was filed by the executors of the estate. Will Liber 5-6, p. 414; *NYHSC*, vol. I (1893), p. 322. Original at the Historical Documents Collection, Paul Klapper Library, Queens College [=HDC], where this class of material is presently being indexed and preserved.

² Little is known of Samuel Nunez. He is probably not the Dr. Samuel Nunez who settled in Georgia in 1732. Abram Kanof, "Uriah Phillips Levy," *PAJHS*, vol. XXXIX (1949), p. 3.

³ Paul Droillet was made freeman of New York on May 3, 1692 and held numerous civic positions including collector of the Dock Ward and assistant alderman of this ward. *Collections of the New-York Historical Society, Burghers and Freemen of New York* (New York, 1886) [=Burghers], p. 5; *Minutes*, vol. II, pp. 308, 311 and 329.

⁴ See Will of Lewis Gomez, *infra*, pp. 361-363.

this my last Will & Testament & in the absence or death of the One the other to have the whole power to Act & do as all Executors may by the Law.

In Witness whereof I have hereunto Set my hand & Seale in New York this Twenty Second day of September in the third year of her Majesties Reign 1704

s/ JOSEPH NUNEZ

seal

Signed Sealed and Published
as the last Will & Testament
of Joseph Nunez in the presence of

s/ JOHAN: HARDENBROOK⁵
s/ P. CHAIGNEAU⁶

New York November 10th 1704

There appeared before me SAMSON SHELTON BROUGHTON Esq. thereunto authorized by his Excellency EDWARD VISCOUNT CORNBURY Captain-General & Governor in chief of the Province of New York New Jersey etc. JOHANNES HARDENBROOK and PETER CHIGNEAU the witnesses to ye within written will and proved ye same in ye usuall forme.

Jurat coram me s/ SA:SH:BROUGHTON⁷

New York November 10th 1704

PAUL DROILETT & LEWIS GOMEZ Ye Executors within named were duly sworn to ye Execution of ye within written will

*Coram me*⁸ s/ SA: SH: BROUGHTON

⁵ Hardenbrook, a cordwainer, was made a freeman in 1698 and was an alderman in 1732. *Burghers*, pp. 70–71 and 487.

⁶ Peter Chigneau, a cooper, was made freeman in 1691. *Ibid.*, pp. 55 and 596.

⁷ Sampson S. Broughton was Attorney General of the Province during 1701–1705. Stephen C. Hutchins, *Civil List of New York* (Albany, 1880) [= *Civil List*], p. 161.

⁸ *Coram* in Latin means “before.”

II

JOSEPH BROWN¹

[1704]

Know All Men by these Presents, That I JOSEPH BROWN, inhabitant in this City of New York Have by these Presents made, ordained, constituted, and in my place and stead put and deputed my trusty and loving Friends, JOSEPH BUENO,² and the widow ESTER BROWN,³ both Residents in this City of New York, my true and lawful Attorneys for me, and in my Name, and for my Use, to ask, demand, sue for, levy, recover and receive all such Sum and Sums of Money, Debts, Goods, Wares, Dues, Accounts, & other Demands whatsoever, which are or shall be due, owing, payable and belonging to me, or detained from me any manner of ways or means whatsoever, by any person or persons Whatsoever, or Wheresoever, Giving and granting unto my said Attorneys by these Presents, my full and whole Power, Strength and Authority, in and about the Premises, to have, use and take all lawful ways and means, in my Name, for the Recovery thereof. And upon the Receipt of any such Debts, Dues, or Sums or Money aforesaid, Acquittances, or other sufficient Discharges, or me, and in my Name to make, seal and deliver, And generally, all and every other act and acts, thing and things, device and devices in the Law whatsoever needful and necessary to be done in and about the Premises, for the Recovery of all or any such Debts or Sums of Money aforesaid, for me, and in my Name, to do, execute and perform, as fully, largely and amply, to all intents and purposes, as I my self might or could do, if I was personally present, or as if the matter required more special Authority than is herein required. And Attorneys, one or more under them for the purposes aforesaid, to make and constitute, and again at pleasure to Revoke, Ratifying, allowing and holding for firm and effectual all and whatsoever my said Attorneys shall lawfully do in and about the premises by virtue hereof have Signed these in My perfect Understanding In N. York And the said, JOSEPH BROWN in My intire Will, considering the uncertainty of this transitory Life, do make & declare these Presents to

¹ Will Liber 7, p. 214; *NYHSC*, vol. I (1893), p. 399. This earliest known written will exists only in a photographic copy in the Oppenheim Collection, American Jewish Historical Society Library — the whereabouts of the original is unknown. Interestingly this is in printed form — a rare example of the use of such forms. Joseph Brown, a merchant and nephew of Saul and Esther [Pardo] Brown, received a license to trade in Ulster County and was granted letters of denization in 1686. The family name Pardo was translated to Brown, although literally meaning grey. See also Will of Esther Brown. Max J. Kohler, "Civil Status of Jews in Colonial New York." *PAJHS*, vol. VI (1897), p. 194; *Portraits*, pp. 443–446.

² See will of Joseph Bueno de Mesquita, *infra*, pp. 331–333.

³ See will of Esther Brown, *infra*, pp. 329–330.

contain my Last Will and Testament, That is to Say, I give and bequeath unto My Loving Brother DAVID BROWNE,⁴ and My Cousin JOSIAS BROWNE,⁵ Son of the Widdow ESTER BROWNE, And Also to my Niece RACHEL SARPHATIN,⁶ all My Estate Real or personall, to be divided in Thirds, Equally, Provided My Lawfull and Just Debts, be payd First, with My Funerall Expenses, and all the rest of my Estate be it Lands, Tenements, Goods, Chattles, Debts, Dues or other Demands whatsoever wherewith at the time of my Decease, I shall be possessed or invested, or which shall then belong or of Right appertain unto me, I do give, devise, and bequeath, unto the Above Named DAVID BROWN, JOSIAS BROWN, And RACHEL SARPHATIN, in the Manner Aforesaid, And I do hereby nominate and appoint Executors for this My Last Will and Testament My good Friends JOSEPH BUENO & ESTER BROWN aforesaid. And I do hereby Revoke, [disannul] and make void all former Wills & Testaments by me heretofore made, and do hereby declare this to be my last Will & Testament. In Witness whereof I have hereunto set my Hand and Seal this — Day of August 1704.

Signed Sealed and D.D. [Declared] s/ JOSSEPH BROWN
in the Presence of us, as
the Last Will and Testament

seal

s/ ISAAC GRANADA⁷

s/ SAMUEL LEVY⁸

שמואל לוי

New York November 21st 1704

Then came and personally appeared before me SAMPSON SHELTON BROUGHTON (being thereto authorized and appointed by his Excellency

⁴ David Brown was probably the Jew granted the right to settle in Rhode Island in 1684 who later in the year received a license to trade in New York. He may have been the David Pardo who in June, 1701 purchased five slaves at public auction in Curaçao. A David Brown died in Surinam in 1716/17. Max J. Kohler, "The Jews in Newport," *PAJHS*, vol. VI (1897), p. 66; *Portraits*, pp. 446-447; Isaac S. Emmanuel, *Precious Stones of Curaçao (1656-1957)* (New York, 1957), p. 199.

⁵ Josias, the son of Saul Brown, was born on September 22, 1694. *Portraits*, p. 443. Possibly named after Saul Pardo's father. Emmanuel, *op. cit.*, p. 199.

⁶ Possibly a member of the Sarfati family in Amsterdam. Mayer Kayserling, "The Earliest Rabbis and Jewish Writers of America," *PAJHS*, vol. III (1895), p. 17; David de Sola Pool, "Notes on American Jewish History," *PAJHS*, vol. XXII (1914), p. 170.

⁷ Isaac Henriques Granada admitted as freeman of New York in January 1688 and mentioned as a butcher in 1703 was buried in the New Bowery Cemetery in 1717. *Portraits*, p. 453; Rosalie S. Philips, "A Burial Place for the Jewish Nation Forever," *PAJHS*, vol. XVIII (1909), p. 120; *Burghers*, p. 54.

⁸ Samuel Levy (d. 1719), brother of Moses Levy, a merchant of New York. See his will, *infra*, pp. 342-344. He signed this document in both English and Hebrew.

EDWARD VISCOUNT CORNBURY⁹) the within named ISAAC GRANADA and SAMUELL LEVY Witnesses to the within written will and declared upon their Oath that they Saw the within named JOSEPH BROWNE being in good & perfect mind and memory Signe Seal publish and declare this within written will to be his Last Will and Testament and that also they did att the same time subscribe the Same as wittnesses in the presence of the Testator.

Coram me s/ SA. SM. BROUGHTON

Then also at the Same time personally appeared before me SAMPSON SHELTON BROUGHTON, JOSEPH BUENO and HESTER BROWNE the Executor & Executrix within named and were duly Sworne to the Execution of the within written Will.

Coram me s/ SA. SH. BROUGHTON

III

ISAAC RODERECUS MARQUES¹

[1707]

In the Name of God Amen the seaventeenth day of October in the Fifth year of his Majesties Reigne Anno Domino one Thousand seven hundred and Six I ISAAC RODERECUS MARQUES of the City of New Yorke merchant Being of perfect Remembrance and bound on a Voyage to Jaimca in the west Indies and Considering the certainty of death and the uncertaine Time of the Coming of the same Do make this my last Will and Testament in manner and forme following (that is to say) First I doe bequeath my Soul to God Almighty and my Body to the Earth to be decently Buryed and as for the Disposall of my worldly Estate It is as followeth (that is

⁹ Edward Hyde, Lord Cornbury, was Governor of New York, 1702–1708. He is usually credited or discredited with being the worst or next to worst administrator of the province.

Notes to Document III

¹ Will Liber 7, p. 296; *NYHSC*, vol. I (1892), pp. 439–440. Isaac Rodriquez Marques appears to have been a resident of New York as early as 1695 when he was made denizen of the province. A merchant, he lived in the city at Pearl Street and at Queen Street. *Portraits*, pp. 460–461; *PAJHS*, vol. VI (1897), p. 101. Isaac Gabey indentured his sixteen year old son, Solomon to Rodriques on December 1, 1704. *Burghers*, pp. 610–611. The Marques inventory filed on April 8, 1708 showed the gross value of his estate at £3580.8.¼, HDC.

to say) First I do desire that all such Just Debts, as I doe owe shall be honestly paid In convenient time after my Decease Item it is my Will and minde that my Deare mother RACHELL MARQUES² be maintained out of my Estate and live with my Wife or my Daughter dureing her naturall life But if she cannot agree with them or like to live by her Self that then she shall Receive out of my Estate before division be made the Sume of fifty Pounds Current money of New Yorke and a God Serviceable Negro woman shall alsoe be Purchased for her out of my sd Estate to attend her during her naturall life which at her decease shall fall to my son and daughter the Vallue thereof to be Equally divided Betwixt them, and I doe give hereby a Strict charge to my wife and children be Dutifull to my said Deare Mother Item I give and Bequeath to my Daughter EASTER³ Fifty pounds to Buy her a Jewell at her age of Eighteen yeares or marrage with her mothers consent the rest of my Estate Reall and Personall I give devise and Bequeath as followeth (that is to say) one third parte thereof to my deare and loving wife RACHELL MARQUES to have and to same hold the same to her, her heires and assignes for Ever one other Third part thereof to my Son JACOB MARQUES⁴ to him his heires and assignes for ever the Remaining third part thereof to my loving Daughter EASTER MARQUES her heires and assignes for ever Further it is my Will, that the Two Thirds of my estate Bequeathed as aforesaid to my Children shall Imediately after my decease be deposseted in the hand of Mr. AARON LA MEGOA Merchant in Jaimaica who I hereby constitute to be supervisor over my Children and it is my Will that my sd Childrens Portions shall be put out at intrest for the maintainace of my sd Children during their minority which Intrest shall be yearly Paid to my sd Wife towards their maintainace as aforesd And I doe desire Mr. LEWIS GOMAS⁵ and Mr. ABRAHAM LUCENA⁶ to assist my wife in the management of all her affaires when and as often as she shall make application to them Sole Executrix of this my Last Will I make my deare and Loveing Wife RACHELL MARQUES and Revoaking all other and former wills at any time heretofore by me made Either in word or writeing I Declare this to be my Last Will and Testament In Testimony whereof I have hereunto Set my hand and seale the day and yeare first above written ISAAC R^{CS} MARQUIZ [L. S.] Signed sealed Published and declared by the above mentioned ISAAC RODERECUS MARQUES as his Last

² Rachel's second marriage was to Moses Peixotto of Barbados. Conveyance Liber 28, cf. 497-498, Register's Office, 32 Chambers Street, New York, N. Y. Unless otherwise indicated, all Conveyance Libers, referred to in footnotes, are located at the aforementioned address.

³ Esther later married Lewis Gomez. N. Taylor Phillips, "Notes on Genealogy of the Gomez Family in America," *PAJHS*, vol. XVII (1909), p. 197.

⁴ Jacob born in 1699 in New York City died in the Barbadoes in 1725. Joseph R. Rosenbloom, *A Biographical Dictionary of Early American Jews* (Lexington, 1960) [= *Dictionary*], p. 109.

⁵ See Will of Lewis Gomez, *infra*, pp. 361-363.

⁶ See Will of Abraham De Lucena, *infra*, pp. 345-346.

Will and Testament In the presence of us WM PEARTREE⁷ EBENEZER WILLSON,⁸ RIP VAN DAM,⁹ EDWARD VISCOUNT CORNBURY Captain Generall and Governor in Chiefe of the Provinces of New Yorke New Jersey and Territorries pending thereon in America and Vice Admirall of the same & To all to whome these presents Shall come or may concerne Greeting Know Yee that att New Yorke the Twenty fourth day of March the Last Will and Testament of ISAAC RODERICUS MARQUES was proved approved and allowed of by me having while he lived and att the time of his death Goods Chattles and Creditts in diverse places within this Province by means whereof the full disposition of all and singular the sd Goods Chattles and Creditts and the the Granting the administracon of them also the hearing of accounts Calculation or Reckoning and the finall Discharge and Dismission from the same unto me solely and not unto any other Inferior Judge are manifestly knowne to belong and the Administration of all and singular the said Goods Chattles & Creditts of the said deceased and his said last Will and Testament in any manner of ways concerning was granted unto RACHELL MARQUES Executrix in the said Last Will and Testament named Chiefly of well and truly administering the same and of makeing a true and perfect Inventory of all and singular the Goods Chattles and Creditts of the said deceased and Exhibiting the same into the Registry of the Prerogative Court in the Secretarys Office, att or Before the Twenty fourth day of September, Next Ensueing and of Rendering & Just and true account calculation or Reckoning when thereunto Required In Testimony whereof I have Caused the Prerogative Seale to be hereunto affixt att New Yorke the Twenty Fourth day of March 1706.

GEO. CLARKE¹⁰

⁷ William Peartree, a noted New Yorker, was Mayor of New York City beginning October 14, 1703 to October, 1707, so that he witnessed this document while Mayor. Edmund B. O'Callaghan, ed., *Calendar of New York Colonial Commissions, 1680-1770* (New York, 1929) [= *Calendar*], pp. 10-13.

⁸ Ebenezer Wilson was Sheriff of New York from June, 1702-March, 1707. He succeeded Peartree as Mayor on October 14, 1707 for a two year term. *Ibid.*, pp. 7-8 and 10-14.

⁹ Rip Van Dam's (c. 1660-1749) career as merchant and politician was long and argumentative. He is most well known for his dispute with Governor William Cosby during the early 1730's. In 1705, he held the office of Justice of Peace. *Burghers*, p. 612.

¹⁰ George Clarke (1676-1760) was appointed Clerk of the Governor's Council on February, 1705 and Secretary of the Province in March, 1703. *Calendar*, pp. 12 and 32.

IV

ESTHER BROWN¹

[1708]

In The Name of Almighty God Amen,

The Twentieth day of may in the yeare one Thousand and Seven hundred & Eight I ESTHER BROWNE of New York widdow Being Sick in Body, Butt of good and Perfect Memory, Thancks be to almighty god and Calling to Remembrance the uncertaine Estate of this Transitory Life, and that all Flesh must yield unto Death when it Shall please god to Call do make, Constitute, ordaine, and Declare this my Last Will and Testament in Manner and form following Revokeing and adnulling by these Presents all and Every Testament and Testaments will and wills heretofore by me made and Declared Either by word, or writting, and this is to be taken for my Last will and Testament and None other; and first Being Penitent and Sorry from the Bottom of my heart for my Sins Past, most humbly Desiring forgiveness for the Same I give and Committ my Soul unto almighty god in whouse trust and Believe assuredly to be Saved and to have full Remission and forgiveness of all my Sins and that my Soul with my body at the general day of Resurrection Shall Rise againe with Joy through the mercy of Almighty god. I Desire my body to be Decently buried and now for the Setling of my Temporall Estate and such goods, Chatles and Debts as it hath pleased god to bestow upon me; I doe order, give & Dispos the Same in Manner & forme following (That is to say) first I will that all Those Debts and Duttyes as I owe in Right or Conciencie to any Manner of Person or Persons whatsoever; shall be well and truly Contented & paid, or ordained to be paid within Convinient time after my Decease by my Executrix my Deare & Loveing Daughter ABIGAIL BROWNE. Item, I give & Bequeath the Remainder found Bellonging to me to be equally Divided Between my foure Children viz. JOSIAH BROWNE, ABIGALL, SARAH & SIMHA BROWNE² alloweing over and above Their Equall Porcions the Sume of Three pounds to my Deare and Beloved Sonn JOSIAH BROWNE together with my Blessings In witness

¹ Original Will no. 194, Will Liber 7, p. 494; *NYHSC*, vol. II (1894), pp. 3-4. Esther Brown was the widow of Saul Pardo Brown, minister of Shearith Israel in 1695. John Miller, *New York Considered and Improved* (Cleveland, 1903), p. 54; *Portraits*, pp. 443-444; Emmanuel, *op. cit.*, p. 199. The inventory of the estate made at the request of Abigail Brown on July 1, 1708 was valued at £60 and is recorded in Will Liber 5-6, p. 481. The original inventory is located in the Historical Documents Collection.

² The testatrix's children all died in Curaçao. Simha died January 5, 1768; Josiah, May 22, 1755; Abigail, November 20, 1742; and Sarah, July 27, 1723; Emmanuel, *op. cit.*, pp. 239, 327, 338 and 358.

whereof I have Sett hereunto my hand & Sale in Presence of JOSEPH BUENO and ABRAHAM DE LUCENA of this City Merchants the date and year above mentioned By me

Signed Sealed & Delivered in presence

s/ ESTER BROWN

seal

s/ JOSEPH BUENO³

s/ ABRAHAM DE LUCENA⁴

s/ NATHAN SIMSON⁵

s/ MORDEJAY GOMEZ⁶

New Yorke May the 28th 1708

Their appeared before me THOMAS WENHAM⁷ Esq. Surrogate ABRAHAM DE LUCINA & JOS. BUENO Two of the wittnesses to the within written will & made oath on the ~~holy evangelists~~ five books of Moses that they Saw the Testatrix (who was then of Sound mind & memory) Signe Seale & publish the within written Instruement as her Last will & Testament & that NATHAN SIMSON & MORDEGAY GOMEZ the other wittnesses to the Sd will Subscribed their names as witnesses thereto in the presence of the Testatrix.

s/ THOS. WENHAM

New Yorke May 28th 1708

ABAGAIL BROWNE the Executrix within named was duly Sworne to the Execution of the within written will

coram me s/ THOS. WENHAM

³ See Will of Joseph Bueno, *infra*, pp. 331–333.

⁴ See Will of Abraham De Lucena, *infra*, pp. 345–346.

⁵ Nathan Simson, a wealthy English merchant, made various trips to New York. Jacob R. Marcus, *Early American Jewry, 1649–1794*, vol. I (Philadelphia, 1951), pp. 64 and 163. His Letter Books, important accounts of his and other merchants' business, are located in the Public Record Office, C104/13, London, England. A copy is in the American Jewish Archives in Cincinnati, Ohio.

⁶ See Will of Mordecai Gomez in next installment.

⁷ Thomas Wenham was appointed Receiver General of New York in 1702 and third Justice of the Supreme Court in April, 1703. He was also a member of the Council and held this post as well as Justice until his death in September, 1709. He also served on the bench of the Court of Chancery and acted as Surrogate, as in this instance. *Civil List*, p. 164; *Calendar*, p. 10; Paul M. Hamlin and Charles E. Baker, eds., *Supreme Court of Judicature of the Province of New York 1691–1705* (New York, 1959), pp. 111 and 214–220.

V

JOSEPH BUENO DE MESQUITA¹

[1708]

In the Name of God Amen I JOSEPH BUENO DE MESQUITA of the City of New York Merchant, being at this Present Sick in bedd yet of Sound memory & understanding & knowing the Certainty of death & the uncertain time and hour thereof have thought fit to make this my last Will & Testament hereby revoking and annulling all former Wills and Testaments by me heretofore made willing that these presents shall only be of force after my Decease First I recomend my Soule to God & my body to the Earth in hopes of a glorious Resurrection at the last Day.

Item

I will and desire that my Debts & funerall charges be paid and Satisfyd.

Item

I do give and bequeath unto my Loving wife RACHELL the daughter of RACHELL DOVALE² & to her heires forever the Sum of Six hundred pounds Current money of New York to be paid unto her by my Executor within Six months after my decease and I do further give unto her all my plate household stuff & furniture of what kind soever as Linnen woollen bedding Tables Chairs looking glasses necklaces whatsoever which is or hath been Esteemed hers or in her Possession (my Sloop³ goods & merchandises only excepted and reserved) as allso all the Slaves now belonging to mee And that in full Satisfaction of her Dower claim of lands & all other demands whatsoever.

¹ Original Will no. 181; Will Liber 7, p. 512; *NYHSC*, vol. II (1893), p. 13. Bueno was one of the earliest Jewish merchants of the City. He is credited with having purchased the first Jewish burial ground in 1682. There is an extensive record of Bueno's activities. David and Tamar de Sola Pool, *An Old Faith in the New World* (New York, 1955), pp. 280, 468 and 469; Lee M. Friedman, "Early Jewish Residents in Massachusetts," *PAJHS*, vol. XXIII (1915), p. 83. Mesquita's inventory filed February 9, 1710 shows a total value of £912.13.5 in which was included Mesquita's *Five Books of Moses* with Silver Bells and ornaments "belonging to the altar" which were sold to Isaac Pinheiro for £25.6 even though the will seems to direct that it be delivered to his brother Abraham. At Pinheiro's death his *Five Books of Moses* with bells and vestments were valued at £150. Inventories of Joseph Bueno Mesquita and Isaac Pinheiro, HDC. For legal action, see e. g. *Bueno v. Lockhart* (1685?), Mayors Court Papers, file 1684-1686, Nov. 7, 1685, New York County Clerks Office, 32 Chambers Street, New York City [= MCP]. These papers have been microfilmed by the American Jewish Historical Society and the microfilms are available in its Library.

² A Rachel Doval who was the aunt of Saul Brown died February 26, 1678. Emmanuel, *op. cit.*, pp. 148-149.

³ The sloop mentioned was the "Mary." See *DCNY*, vol. IV, pp. 1142-1144; Inventory of Joseph Bueno Mesquita, HDC.

Item

I give unto my beloved Brother ABRAHAM BUENO DE MESQUITA of the Island of Nevis the West Indies and his heirs for ever my five bookes of the Law of Moses in Parchment together with the two Ornaments of plate thereto belonging in full of all his pretensions & demands of my Estate whatsoever, & I do further give & bequeath unto my Said brother ABRAHAM the Sume of One hundred Sixty one Pounds two shillings and three Pence which he now oweth unto me upon ballance of Amount be it more or less over and above the Said books.

Item

I do give and bequeath unto my mother in Law RACHELL DOVALE the Sume of fifty Pounds of Currant money of New York to be paid unto her within Six months after my decease.

Item

I do give & bequeath unto my brother in Law SAUL DOVALE the Sume of fifty Pounds like money to be paid him as he comes of Age with the improvements thereof frome time of my death untill he come of the Age of Twenty One years.

Item

I do give & bequeath unto my God Child ASHER CAMPANELL⁴ Twenty Pounds like money to be paid to him together with the interest arising by the Said sume from the time of my death for his own use, when he comes to the Age of Twenty One Yeares And if my God Child should dy before that time then it is my Will that his Sisters and brothers shall have that Legacy amongst them in equall shares and Proportions.

Item

I do give and bequeath unto the Poor of the Jewish nation in New York Twenty Pounds like money to be distributed by my Executors at their discrecion according to my true Intent and meaning.

Item

I do dispose of all the Rest of my Estate whatsoever in manner following that is to say it is my will and desire all be converted as soon as Possible into money and put out to interest in the Province of New York by My Executors hereafter named & the interest as it comes to be in like manner improved untill the time of Payment herein & hereby directed to be made And I do give and bequeath the Same as follows One half thereof unto the Child or Children of my Said Brother ABRAHAM to be paid to them in even & Equall Shares and proportions with the improvement thereof when they severally come to the age of Twenty One yeares, And the other half thereof I do give and bequeath unto the Children of ISAAC GABAY⁵ & my

⁴ Asher Campanell, who died in 1753, was a *shamash* [sexton] for Shearith Israel. He was also a butcher. *Dictionary*, p. 10; *Marks v. Campanell* (1752), MCP, file 1750-1752, Sept. 22, 1752.

⁵ Isaac Gabay lived in the Dock Ward. Entry of January 20, 1708, Dock Ward, New

Sister ESTHER deceased to be paid to them in even & Equall Shares & proportions with the improvement thereof when they severally come to the age of Twenty One yeares — And Lastly I do nominate Constitute and appoint my good friends Messrs LOUIS GOMEZ,⁶ ABRAHAM DE LUCENA⁷ of this City of New York Merchants & my Dear Wife RACHELL aforesaid to be the Executors of this my last Will and Testament And In Testimony thereof I do Sign Seal & publish this to be my last Will & Testament at New York this Twentieth day of October in the Seaventh year of her Majesties reign 1708

the marke of

X

seal

Signed Sealed & Published as the last Will & Testament of JOSEPH BUENO DE MESQUITA he being Sick on bedd yet in his Right Senses to our understanding in the presence of us
s/ ABRAH KETELTAS
s/ HENRICK KERMER
s/ JOHANNES BANT⁸

New York 1st November 1708

LEWIS GOMEZ, ABRAHAM DE LUCENA and RACHELL BUENO the Executors the within written will were duly sworn to the Execution thereof coram me
s/ CORNBURY

New York 1st November 1708

ABRAHAM KETTLETAS, HENDRICK KERMER and JOHANNES BANT the witnesses to the within written will appeared before me and made oath on the holy Evangelists that they saw the Testator JOSEPH BUENO DE MESQUITA sign Seal and publish the within written Instrument as his last will and Testament and that at the time of the Publication thereof he was of Sound and perfect mind and memory to the best of their Judgements and understanding

s/ CORNBURY

York Assessment List, vol. 1702-1709, New York City Comptroller's Office, Rhinelander Building, 238 William Street, New York City [=NYAL]. Microfilm copies are located in the HDC. Gabay, along with the testator, De Lucena, Samuel Levy, and Isaac Rodrigues Marques, signed a petition dated February 19, 1705, asking for the regulation of the currency. *DCNY*, vol. IV, p. 1135.

⁶ See Will of Lewis Gomez *infra*, pp. 361-363.

⁷ See Will of Abraham De Lucena *infra*, pp. 345-346.

⁸ Abraham Keteltas, blacksmith, Henrick Kermer, and Johannes Bant, cooper, were all residents of New York City. *Burghers*, pp. 65 and 67. Kermer and Bueno were next door neighbors for a number of years when Bueno lived in Robert Sinclair's house. *NYAL*, vol. 1699-1702, East Ward, Jan. 28 and Dec. 28, 1702.

VI

ISAAC PINHEIRO¹

[1710]

In The Name Of God Amen

[Probated in] Nevis

I ISAAC PINHEIRO of ye Nation of Jews Merchant being Sick & Weak of Body, but of Sound, & perfect Memory, prayse be therefore given to Almighty God, Doe make, & Ordaine, this my Last Will and Testament first & principally, I Commend my Soul to Almighty God my Creatour & Redeamer, hoping through his Aboundant Mercyes to Obtain pardon & forgiveness of all my Sins, my Body I Comitt to the Earth, to be Interred in the Buriall place belonging to the Jewish Nation, of ye Island of Nevis aforesaid, after their rites & Ceremonies, & for what Temporall Estate, God of his goodness hath bestowed on me (my Funerall Expenses, & Debts being first payd, & Discharged) I Give Devise & Bequeath ye same as followeth:

Imprimis

I Give & Bequeath unto my Son JACOB PINHEIRO, the Sume of two hundred & fifty pounds Currant money of this Island to be paid unto him when he shall arive, to ye age of Twenty One years.

Item

I Give & Bequeath unto my Said Son, JACOB PINHEIRO, A Negro Boy Named ANDOVER, to be Delivered unto him when he shall arrive to the Age aforesaid.

Item

I Give & Bequeath unto my said son JACOB PINHEIRO, one Sorrall horse (on which he Commonly rides) with one paire of pistolls, with a Saddle, holsters & other furniture, to the same belonging, to be delivered unto him Immediately after my Decease.

Item

I Give & Bequeath unto my Son MOSES PINHEIRO, one hundred pounds Currant Money of this Island — together wth. one Negro boy, named

¹ Original Will no. 500; *NYHSC*, vol. XI (1902), pp. 1–3. Isaac Pinheiro, a prominent merchant died in New York on February 17, 1710. He had been made freeman of New York on February 2, 1695. *Portraits*, pp. 453–454. This will proved in Nevis was also probated in New York, probably because he had property and assets here. Letters of Administration were granted to Lancaster Symes, John Cholwell, and Isaac Gabay in February, 1710. Pinheiro, was mistakenly mentioned as having died intestate. *Portraits*, p. 454; *NYHSC*, vol. II (1894), p. 38. Symes and Cholwell filed the Inventory of Pinheiro's estate showing a value of £596.04.7½, HDC.

SHARLOW to be delivered unto him, when he Shall Arrive to the Age of Eighteen Years.

Item

I Give & Bequeath unto my Daughter SARAH PINHEIRO, Five hundred pounds Sterling Money to be paid unto her, at the Day of her Marriage.

Item

I Give & Bequeath unto my daughter REBEKAH PINHEIRO, the Sume of Five hundred Pounds Sterling Money to paid unto her, at the Day of her Marriage.

Item

I Give & Bequeath unto my Daughter JUDITH PINHEIRO, the Sume of Five hundred pounds Sterling money to be paid unto her, at her Day of Marriage.

Item

I Give & Bequeath, unto my Dear & Honoured Father ABRAHAM PINHEIRO of the City of Amsterdam the Sume of Thirty pounds Sterling Money to be paid unto him Annually Dureing his naturall Life, AND after the Decease of my said Father, I Give & Bequeath, unto my Dear Mother in law RACHEL PINHEIRO, the Sume of Thirty pounds Sterling to be paid unto her Annually During her Naturall Life,

Item

I Give & Bequeath unto my Loving Sister SARAH DAGAMA wife of DAGAMA of Corasoe, One hundred Pieces of Eight to be paid unto her in three Moneths after my Decease.

Item

I Give & Bequeath, unto my Loving Sister RACHEL PINHEIRO, now living in the City of Amsterdam the Sume of thirty pounds Sterling Money to be paid unto her in twelve Moneth, after my Decease.

Item

I Give Devise & Bequeath unto my aforesaid sons, JACOB PINHEIRO & MOSES PINHEIRO & to their heirs, for ever share & share alike, when my Said Son Moses, shall arrive by ye Age of Eighteen years, a Certain plantation or parcell of Land by Me lately bought & purchased of GEORGE BROWNE and FRANCES BROWNE his Wife & SARAH MADRIN, being part of the plantation formerly THOMAS MADRINE.

Item

I Give & Bequeath unto my said sons JACOB PINHEIRO & MOSES PINHEIRO & to their heirs for Ever share & share alike when my Said son MOSES shall arrive by ye age of Eighteen years one Case Mill which is now standing & being on ye plantation by me Leased of WILLIAM & RICHARD BOWRY together with ye following Negros (viz.) TOM, MINGO,

PIERO, VENTURA, TOBY, PETER, MANUEL, BASTIANO,² WILL, JACK, CATTOC, LEWISA, BLACK SARAH & MARIA together wth. one stile & Worm.³

Item

It is my Express Will that if JACOB LATTUR & MARY LATTUR his wife now Living in South Carolina doe Sell & Dispose of her the said MARY, her plantation or parsell of Land, in this Island that my Executrix hereafter Named Doe purchase the same for & to the only use and behoofe of my Said Sons, JACOB PINHEIRO & MOSES PINHEIRO & their heirs Share & Share alike To be delivered unto them when the Said MOSES shall Arrive to ye Age of Eighteen years, It is also my Express Will that if any of the land which is near or joyning with the aforesaid plantation be Exposed to Sale, that my Said Executrix doe purchase the same for the only use & behoofe of my aforesaid Sons in Manner as aforesaid, *And* whereas by a Certain Deed of Gift (Some years past) I have & bestowed to my sons ABRAHAM PINHEIRO (who is Since Deceased) and the aforesaid JACOB PINHEIRO Seven Negros three whereof are Dead & Lost by the late French Invasion on this Island & the other four Namely WILL, SHARLOW, DOGGU & FANSHOW, are now in my possession, It is my Express Will, that if my said Son JACOB or any other person, by or under him, shall at any time hereafter, Claim, Demand or any wise Disturbe my Executrix hereafter Named, her heirs etc. from the Quiet peaceable possession & enjoyment of the Said Negros, WILL, SHARLOW, DOGGU, and FANSHOW, then in Such Case the Two hundred & Fifty pounds Currant Money, by me hereby Given & Bequeathed unto him my Said Son JACOB, I Give & Bequeath unto Dear and Loving Wife ESTHER PINHEIRO my Executrix hereafter Named to be at her Disposall & he my Said Son to be ever barrd of the same

Item

It is also my Express Will that my Dear & Loving Wife ESTHER PINHEIRO shall possess & enjoy the before mentioned plantation or parcell of Land, Negros, Mill Stile & Worm,³ by me Given Devised & Bequeathed to my said Sons JACOB PINHEIRO & MOSES PINHEIRO, & that the Issues & profits thereby arising or accruing to be at her own Disposall & not to be anywise accomptable for the same to any person or persons whatsoever, untill my said son MOSES shall arrive to the age of Eighteen years.

Item

I Give Devise & Bequeath unto my said Dear & Loving Wife ESTHER PINHEIRO & to her heirs forever all the Houses and Land that I am now possessed of & of right belongs unto me in Charles Towne in this Island or Else where (allwayse Excepting the Land by me hereof Devised to my said Sons) *Item* I Give & Bequeath unto my said Dear & Loving Wife

² In 1707, Esther, Isaac's wife, purchased a Negro woman named Bastiana. *Portraits*, p. 454.

³ A still and worm are parts of a distillery.

ESTHER PINHEIRO all the Rest & Residue of my Estate be the Same of what Nature or Quality foever in this Island or Elsewhere.

Item

It is my Express Will that if my Said Dear & Loving Wife Should Die Intestate or before she hath Disposed or Sold what I have hereby given Devised & Bequeathed unto her, then & in such Case the same shall redound & properly belong unto my aforesaid Sons & Daughters to be Divided among them share & sharle a Like, It is my Will & Desire that if my said Daughters should happen to be unmarried at the Decease of my said Wife that then & in Such Case they be Imediately sent to Corasoe to my aforesaid Sister SARAH DAGAMA to live with her, & what part of my Estate shall fall or redound to them to be Sent with them, & then my aforesaid Brother in Law ISAAC DAGAMA to take upon him the Guardianships over my said Daughters.

Lastly I doe hereby Nominate & appoint my said Dear & Loving Wife ESTHER PINHEIRO, my whole & sole Executrix of this my Last Will & Testament, Requesting & Impowering my Loving Friends Capt. SAMUEL CLARKE FIGTREE, Gent. and SOLOMON ISRAEL, Merchant to be Trustees and Overseers of this my Will, to Each of them I Give & Bequeath, Tenn pounds Currant Money of this Island to be paid to them Imediately after my Decease to buy them a Mourning Sute hereby revokeing making. Null & Voyd all Wills by me heretofore made & this to be my Last Will & Testament *In Witness* whereof I the said ISAAC PINHEIRO, have hereunto set my hand & Seal this Twelfth day of November in the Seventh year of our Sovereign Lady Anne by the Grace of God of Great Britain France & Ireland etc. one thousand Seven hundred & Eight.

Signed Sealed Published & Declared to be his Last Will & Testament, in the presence of us whose Names are hereunder written

ISAAC PINHEIRO

EVAN DAVIS
JOHN HILTON
JOHN CARPINTER
GIDEON DEVREDE

Nevis

By the Honourable WALTER HAMILTON ESQ.
Lieutenant Governour, Etc.

Personally Appeared before my Messrs. EVAN DAVIS & JOHN HILTON (both of full age) who made oath upon the Holy Evangelists of Almighty God that they did see the within named ISAAC PINHEIRO Signe Seal Publish & Declear the within Instrument of Writing to be his Last Will & Testament, and that he was at the Same time in perfect sence & Memory to the

best of their knowledges & Judgments, And those Deponants further Declars that they see Mssrs. JOHN CARPENTER & GIDEON DEVREDE Signe to the same as Witnesses, and Further Saith not.

Sworne before me the 12th Day
of April 1710

s/ WALTER HAMILTON

Nevis Copia Vera Recorded
1710

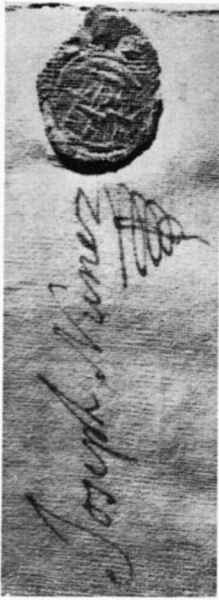
13th Day of April
s/ MICHAEL NOWELL Secry.

Nevis

To All to Whome These presents shall come, I WALTER HAMILTON Esq. Lieut. Gouverneur etc. of the Island aforesaid Send Greeting Know yee that on the day of the Date hereof personally appeared before me MICHAEL NOWELL of this Island Secretary and Did by solemn oath which he took on the Holy Evangelists of Almighty God, solemnly Declare, Testife, Depose that the foregoing will (& Probate) of ISAAC PINHEIRO is a true & exact Cobby taken from the books of records of the said Island for Inhabitants etc. No. B. Pages One hundred Eighty Eight to one Hundred Ninety three. In Testimony whereof I have hereunto Sett my hand Affixed my Seal te Eighteenth Daye of April in the year of our Lord one thousand Seven Hundred & Tenn & in the ninth year of her Majesties Reigne.

s/ W. HAMILTON

*To All to whome these presents Shall Come I ESTER PINHEIRO of the Island of Nevis doe Send Greeting that whereas my Late Husband ISAAC PINHEIRO Merchant Deceased Did make his Last will and Testament in writing bearing Date the Twelfth Day of November in the yeare of our Lord one Thousand Seaven hundred and Eight and therefore did make and Constitute me whole and sole Executrix as by a true Cobby of the Said Will attested by the Honourable WALTER HAMILTON Esq. Lieut. Governour of the said Island and hereunto annexed if doth and may more fully and at Large appeare, And whereas my Said late husband after the makeing of his Said last will and Testament (to witt) the Seaventeenth Day of February now last past att the City of New York departed this Life leaving behind him Divers goods, Merchandizes, wares, ready monies Debts due by bond, Note under hand or Simple Contract and Divers other Goods and Chattles as well in the hands possession and Keeping of as alsoe owing unto him the said ISAAC PINHEIRO by and from severall persons in the said City of New York and places thereunto adjacent *Now Know Ye* That I the said ESTER PINHEIRO in my Capacity aforesaid have Constituted, Nominated appointed made and putt and by these presents Doe Constitute Nominate appoint and in my place and stead putt my Trusty friends RIP VAN DAM, and LUIS GOMEZ of the said City of New York, Merchants. They and every of them Jointly and severally to be my true and Lawfull attorneys and attorney for me and in my name and to my proper use and behoofe to ask, demand, sue for Levy,*



1.



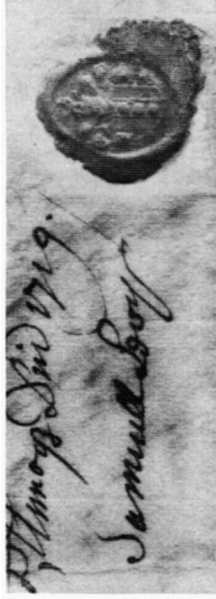
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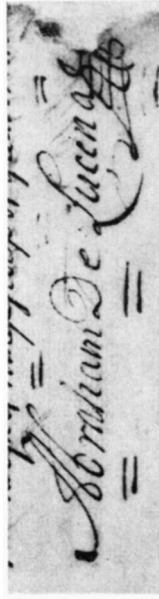
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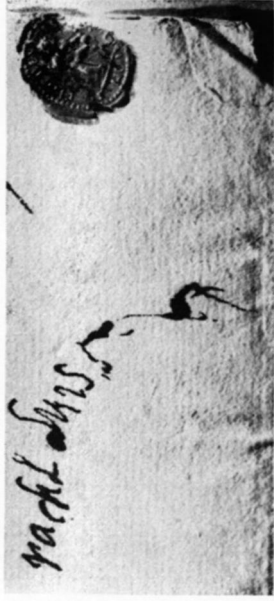
Courtesy of Historical Documents Collection, Queens College of the City University of New York, and the Surrogates Court, New York City.

SIGNATURES, MARKS AND SEALS OF EARLY NEW YORK WILLS (1704-1740).

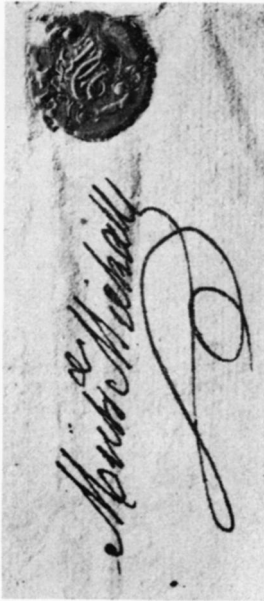
1. JOSEPH NUNEZ (1704)
2. ESTER BROWN (1708)
3. JOSEPH BUENO (1708)
4. ESTER PINHEIRO (1710)
5. SAMUEL LEVY (1719)
6. ABRAHAM DE LUCENA (1725)



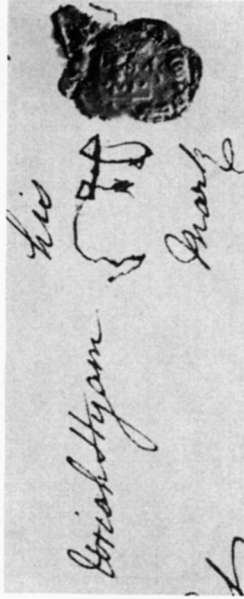
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11.

Courtesy of Historical Documents Collection, Queens College of the City University of New York, and the Surrogates Court, New York City.

SIGNATURES, MARKS AND SEALS OF EARLY NEW YORK WILLS (1704-1740).

7. MOSES LEVY (1728) 9. RACHEL LEVY (1737)

8. MICHAEL MICKALIS (1736) 10. URIAH HYAM (1740)

11. LUIS GOMEZ (1740)

Recover, Receive and Take all Such Sume or Sumes of moneys goods, wares, merchandizes, Debts, dues accounts and other demands whatsoever which my Said late husband ISAAC PINHEIRO was possessed of Interested in and intitled unto [] in the hands of or due and owing unto him at the time of his Decease from any person or persons whatsoever in the Said City of New York or any other parts thereunto adjacent giving and alsoe granting by these presents unto my Said Attornies Jointly or to any one of them by himself my Full and absolute power and authority in and about the premises to have use and take all Lawfull wayes and Means in my name for the Recovery thereof and of every part and parcell thereof and upon Receipt of any such Sume or Sumes of money Debts Dues wares or other goods and Chattles as aforesaid acquittances or Sufficient Discharges for me and in my name to make Seale Subscribe and Deliver and Generally all and every other act and acts, thing and things Device and Devices in the Law whatsoever Need full and Necessary to be done in the premises for the Recovery of all or any Such Sume or Sumes of money, Debts, Dues, wares, and other goods as aforesaid for me and in my name to Doe, execute, and performe as fully largely and amply to all Intents and purposes as I my Selfe might or Could Doe if there personally present or as if the matter Required more Speciall Authority then is hereby given and Attorneys one or more under them to make and Constitute and againe at pleasure to Revoke Ratifying Allowing and holding firme and Effectual all and whatsoever my said Attorneys or any of them Shall lawfully doe or Cause or procure to be done in and about the premises by Virtue of these presents *In Witnesses* whereof I have hereunto sett my hand seale this *Nineteenth* Day of Aprill in the Ninth year of the Reign of her Majesties ANNE by the grace of God of great Brittain France and Ireland Queen Defender of the Faith etc. and in the year of our Lord according to the Computation of the Church of England 1710

s/ ESTER PINHEIRO

seal

Signed Sealed and Delivered
in the presence of us

Boston in New England
5th June 1710

s/ JOHN WOODLEY }
s/ JNO. THATCHER }

JOHN WOODLEY and JOHN THATCHER whose names are subscribed as Witnesses to this Instrument or power of Attorney personally appearing before me One of Her Majesty's Justices of the Peace Made Oath that they Saw the within named ESTHER PINHEIRO Signe Seal and deliver the same as her Act and Deed to the use therein mentioned and that they the Deponents Set to their Names as Witnesses of the Execution thereof.

Jurat cor. s/ JS ADDINGTON J. Pac.

VII

SAMUEL LEVY¹

[1719]

In The Name of God Amen, I SAMUELL LEVY of the City of New York Merchant being Sick and weake in body but of Sound mind memory and under standing (by Gods blessing) Doe make this my Last will and Testament (hereby Revokeing all former Wills by me heretofore made) in manner following *Imprimis* I recommend my Soul to God Almighty my Great Creator and my body to the Earth to be Buryed in Such Decent manner as my Executors hereafter named Shall think fitt, And as to what temporall Estate it hath pleased God to Bless me with I Give and Bequeath the Same as followeth, In the First place, I will and Desire that all Such Debts as I Shall owe in right or Conscience to any person or persons whatsoever either in New York London or Elsewhere be fully Satisfyed Contented and paid by my Executors hereinafter named as Soon as possibly they Can after my Decease. *Item* I Give and Bequeath unto my Dearly beloved wife RACHELL LEVY² all my house hold Goods and Furniture belonging to my house and all my Linnen and plate, Excepting my Silver Tea Pott and One of my Silver Tankards which I give and bequeath to my beloved Daughter ABIGAL LEVY,³ *Item* I Give and Bequeath unto MERIAM HART, my Brothers Daughter the now wife of MOSES HART of the City of New York, the Sume of Ten pounds to Buy a peice of plate in remembrance of me *Item* I Give and Bequeath unto my Mother in Law REBECCA ASHER One annuity or Yearely Sume of Ten pounds to be paid to her Yearely Dureing her natural Life out of my

¹ Original Will no. 588; Will Liber 9, p. 53; NYHSC, vol. II (1894), p. 189. Samuel Levy (d. May 5, 1719), brother of Moses Levy, was a New York merchant. At the time of Samuel's death, neither brother had much to do with each other. Financial difficulties and charges of fraud and deceit between the two led to years of court litigation and engendered bitter feelings. See *Moses Levy v. Isaac Levy, Nathan Simpson, and Jacob Franks, as executors of the estate of Samuel Levy (1722)*, Minutes of Chancery, vol. 1720-1748, p. 8, New York County Clerk's Office, 32 Chambers Street, New York City, as well as pp. 10-11, 21, 24, 25, 34, 37 and 41-43 of this volume. For legal involvement of Samuel Levy, see *Levy v. MacDonall (1715)*, Mayor's Court Minutes, vol. 1715-1718, p. 28, New York County Clerk's Office, 32 Chambers Street, New York City [=MCM]. James Alexander who represented the Executors of Samuel Levy wrote of him as the "honestest jew that has been in this place and a man of the most Easy temper." James Alexander Papers, Box # 10, New-York Historical Society Library. See also *Portraits*, p. 193. The testator was constable of the North and Dock Wards. Minutes vol. III, pp. 186 and 204; vol. IV, pp. 346 and 351. An inventory of Samuel Levy's household goods divided by rooms is in the Nathan Simpson Letter Books.

² Rachel Levy (d. October 22, 1732), *née* Rachel Asher, married Samuel Meyer Cohen. Book of Deeds, no. 12, p. 356, Cohen to Franks, Oct. 17, 1732, Office of the Secretary of State, Albany, New York.

³ Abigail (Bilah) Levy, aged 14 in 1732, was sent to her uncle Michael Asher of Boston who acted as her guardian. MCM, vol. 1731-1736, p. 188.

Estate by my Executors hereinafter named. It is my Will and Desire and I Doe Order and Direct my said Executors hereinafter named as Soon as conveniently may be after my all Debts are fully paid and Satisfied to Remitt and pay out of my Estate to my Brother JOSEPH LEVY and his Son ISAAC LEVY of London Merchants or the Survivors of them the Sume of Two Hundred pounds current money of New York to be Disposed of and Distributed by my Said Brother and his Said Son or the Survivour of them unto and amongst Such of my own poor relations Liveing in Germany as they in their Discretion shall thinke fitt, And after payment of all my Just Debts Legacies and Funerall Charges I Give and Bequeath all the rest residue and remainder of all my Goods Chattells rights Creditts and Estates whatsoever unto my said wife RACHELL and Daughter ABIGALL to be Equally Divided betweene them Share and Share alike The Share of my Said Daughter to be paid to her when She Shall attaine the Age of Twenty One Years or be married which, Shall first happen And that in the meane time and untill She Shall Attaine the Said Age or be Married as aforesaid my Will is that my Said Child Shall be brought up Educated and maintained by my Said wife out of the Income profit and benefitt of my whole Estate And to that End it is my further will and Desire that the Share of my Said Estate Soe Bequeathed to my Said Daughter as aforesaid — Imediately after my Death or as Soon after as Conveniently may be, Shall be putt out to Interest by my Executors hereinafter named or be by them otherwise Disposed of to the best benefitt and advantage of my Said Daughter as my Said Executors in their Discretion Shall think fitt And my further Will and meaneing is that in Case my Said Daughter shall happen to Dye before she shall attaine the age of One and Twenty Yeares or be Married as aforesaid That then I Doe here by give and bequeath One Equal halfe of the Said Share of my Estate Soe given and bequeathed to my Said Daughter as aforesaid unto my Said wife RACHELL her Executors Administrators and Assignes and the other halfe thereof I Doe hereby Desire and Direct may be likewise remitted and paid by my said Exectors to my Said Brother JOSEPH LEVY and ISAAC LEVY or the Survivour of them or to the the Executors of the Survivour of them to be by them Disposed of and Distributed to and amongst Such of my own poore relations Liveing in Germany as aforesaid as they in their Discretion Shall think fitt and it is my will and Desire that my Share and interest in the pinck Charlott⁴ and Sloop Abigall⁵ of New York be immediatly after my Decease Sold and Disposed of to the best Advantage by my Said Executors or Such of them as live in New York the better to Enable them to perform this my will And Doe hereby Nominate and appoint my Said Loveing kinsman ISAAC LEVY Son of my Said Brother JOSEPH LEVY and

⁴ The forty ton *Charlotte* was owned also by Henry Cuyler, Moses Levy, Jacob Franks, and Nathan Simpson. See Entry of June 23, 1720, Naval Office Lists, CO 5/1222, Public Records Office, London [=NOL].

⁵ The twenty ton *Abigail* was also owned by Moses Levy and Jacob Franks, as well as Jacobus Van Cortlandt and Adolph Philipse. As an example of this vessel's activities, see NOL, CO 5/1222, April 14, 1720.

my Loveing Kinsmen NATHAN SIMPSON and JACOB FRANCK⁶ of the City of New York Merchants Executors of this my Last Will and Testament Desiring that the said NATHAN SIMPSON and JACOB FRANCK⁶ Imediately after my Decease in the presence of my Said wife Doe Seale up all my Letters and Copy Book of Letters without Inspecting into the Same and forthwith Send and Transmitt them to my Said kinsman ISAAC LEVY at London *In Witness* whereof I have hereunto Sett my hand and Seale this Twenty Eighth Day of Aprill in the Fifth Yeare of the reigne of our Sovereaign Lord GEORGE by the grace of God of Great Brittain France and Ireland King Defender of the Faith, etc. Anno Dom 1719.

s/ SAMUELL LEVY

seal

Signed Sealed published and
Declared in the presence of us
who Subscribed our names in
the presence of the said
SAMUELL LEVY
s/ JOSEPH ISAAC⁷
s/ MORD. GOMES
s/ H. WILEMAN⁸

Memorandum that on the twenty first day of May 1719 JOSEPH ISAAC and MORDECAI GOMEZ two of the Subscribing witnesses to the within will appeared before me who being Jews were duly Sworn upon the five books of Moses & upon their oath did Declare that they saw SAMUEL LEVY deceased publish and Declare the within to be his Last will and Testament and that at the time thereof he was of Sound and Disposing mind & memory to the best of their knowledge and that they saw HENRY WILEMAN with them & each other Subscribe as witnesses to the Same in presence of the Testator.

s/ RO. HUNTER⁹

Memorandum that on the twenty first day of May 1719 the within NATHAN SIMPSON and JACOB FRANCK⁶ took the oath of Executors of the within will & did Declare that the other Executor within named was beyond Seas to the best of their knowledge.

s/ RO. HUNTER

⁶ Jacob Franks (1688–1769) had an extensive career as a merchant and was made freeman of New York on August 21, 1711. He was interested in communal affairs serving in many offices of the Congregation Shearith Israel. He was the synagogue's president in 1729. Highly respected by the community, he was often a witness or named executor. *Burghers*, p. 90; *Portraits*, 14–15, 17, 23 and 26, *passim*.

⁷ Possibly the Joseph Isaacs identified as a butcher and made freeman of New York City on August 23, 1698. *Burghers*, p. 65.

⁸ Henry Wileman was granted a license as an attorney at law on November 15, 1709 and was named coroner in 1721. *Calendar*, pp. 15 and 19.

⁹ Robert Hunter, Governor of New York, 1710 to 1719.

VIII

ABRAHAM DE LUCENA¹

[1725]

In the Name of God Amen

I ABRAHAM DE LUCENA of New York Merchant (by Gods Grace) proceeding upon A Voyage to Jamaica Considering the Dangers of the Sea And the Uncertainty of this Mortal Life Do my Last Will and Testament as followeth Vizt.

Imprimis

I bequeath my Immortal Soul into the hands of the Almighty God of Israel My Creator Trusting in his Mercy for pardon of All my Sins and hoping for A Joyful resurr[ection] to Life Eternal *And* as touching my Worldy Estate I Give Bequeath Devise Dispose of the Same in manner and form following That is to Say After all my [lawful] and just debts be paid And Satisfied my Will and Desire is That all my Estate Real and personal be Divided into Six Equal parts Shares or proportions; One Sixth part or Share whereof I Give and Bequeath unto my Loving Wife RACHEL DE LUCENA for and During the Term of her Natural Life and at her Decease to be Equally Divided Amongst All or those of my Children that Shall be then Living *Item* I Give and Bequeath unto my Son MOSES DE LUCENA² his heirs and assigns for Ever one other Sixth part or share thereof *Item* I Give and Bequeath unto my son SAMUEL DE LUCENA³ his heirs and assigns for Ever one other Equal Sixth part or Share thereof *Item* I give unto my Daughter HESTER her heirs and assigns for Ever one other Sixth part or share thereof *Item* I give and Bequeath unto my Daughter JUDITH her heirs and assigns for Ever One other equal Sixth part or Share thereof *Item* I give and Bequeath unto my Daughter

¹ Original Will no. 725; Will Liber 10, p. 73; *NYHSC*, vol. II (1894), p. 319. Abraham De Lucena was made freeman of New York on July 6, 1708. *Burghers*, p. 88. A prominent merchant of the city, he was also minister of Shearith Israel. *PAJHS*, vol. VI (1897), p. 126. De Lucena frequently appeared in court, generally as plaintiff in cases of debt. For example, see *De Lucena v. Boston* (1699), MCM, vol. 1695–1704, pp. 115–116, 125, 127 and 130; *De Lucena v. Smit* (1704), MCM, vol. 1704–1710, pp. 20–21 and 31–33. In this latter case De Lucena won a suit for payment of six half barrels of Jewish beef. *De Lucena v. Abigail Brown, executor of the estate of Esther Brown* (1708), MCM, vol. 1704–1710, pp. 346, 350 and 355–356; *De Lucena v. Noble* (1716), MCP, file 1676–1710, July 20, 1716. Lucena died August 4, 1725. For general background, see *Portraits*, pp. 456–459. At the time of his death he resided in the South Ward. NYAL, March 2, 1725. His wife continued to reside there after his death. *Ibid.*, March 1, 1726.

² Moses De Lucena was born October 30, 1723. *Ibid.*, p. 458.

³ Possibly the Samuel De Lucena made freeman of New York on July 3, 1759. *Burghers* p. 193.

REBECCA⁴ one other Equal Sixth part or share thereof to her, her heirs & assigns for Ever *And Lastly* my Will and Desire is that in Case any or either of my Said Children Shall happen to Die before his, her or their age of one and twenty years, or before Receiving their said Sixth part That then the said part or parts of him her or thems so Dying shall be Equally Divided amongst the Survivors of them And I do hereby Nominate and Appoint my said Loving wife RACHEL DE LUCENA Executrix of my Last Will and testament and [] revoke all former Wills by me at any time heretofore made and declare this to be my Last Will and Testament *In Testimony* Whereof I have hereunto Set my hand and Seal at New York this twelfth day of February the third year of the Reign of King GEORGE of Great Britain anno domini 1716.

s/ ABRAHAM DE LUCENA

Signed Sealed published and
Delivered in the presence

seal

s/ J. V. CORTLANDT⁵

s/ PHILLIP FRENCH⁶

s/ FREDERICK VAN CORTLANDT⁷

New York September 2 1725

There personally appeared before me WILLIAM BURNET Esquire⁸ Captain General and Governour in Chief of the Province of New York etc. JACOBUS VAN CORTLANDT and FREDERICK VAN CORTLANDT two of the subscribing Witnesses to the [] will of ABRAHAM DE LUCENA and made Oath on the Holy Evangelists of Almighty God that they Saw the said ABRAHAM DE LUCENA Sign Seal Publish and Declare the same to be his Last Will and Testament and that at the time thereof he was of sound disposing mind and memory to the best of their knowledge And that they likewise Saw PHILIP FRENCH sign as witness to the same in the presence of the testator.

s/ W. BURNET

Be it remembered at the same time RACHEL DE LUCENA the Executrix in the within written Will named took an Oath upon the five books of Moses for the execution and performance of the said Will.

s/ W. BURNET

⁴ Rebecca became the second wife of Mordecai Gomez in 1741. See his Will in the next installment.

⁵ Jacobus Van Cortlandt, Mayor of New York during 1710–1711 and 1719–1720 and Alderman on numerous occasions, was a well known merchant. *Burgher*, pp. 90, 99 and 578–583.

⁶ Philip French was a merchant and Mayor of New York in 1702. *Calendar*, p. 8.

⁷ Frederick Van Cortlandt, son of Jacobus, is chiefly remembered for building his manor house in Van Cortlandt Park, Bronx, New York. Martha J. Lamb and Mrs. Burton Harrison, *History of the City of New York* (New York, 1896), vol. III, p. 807.

⁸ William Burnet was appointed Governor of New York on June 24, 1720, and died in office September 7, 1729. *Ibid.*, vol. II, p. 525

IX

MOSES LEVY¹

[1728]

In the Name of God Amen I MOSES LEVY of the City of New York Merchant being Sick & weak in body but of Sound perfect & Disposeing mind Memory and understanding Praised be Almighty God for the Same &

¹ Original Will no. 859; *NYHSC*, vol. XI (1902), p. 72. Moses Levy (c. 1665-1728), one of the wealthiest and best known of New York Jews, had one of the most interesting and involved careers. Levy was made freeman of New York on June 5, 1695 and in 1719 was elected constable of the South Ward, but refused to serve. Levy married twice, first to Rycha Asher (d. Sept. 29, 1716), who bore him four sons, Nathan, Asher, Isaac, and Michael and a daughter Abigail. He then married Grace Mears in 1717 and had eight children, one of whom died in infancy. Chancery Decrees before 1800, File H, No. 19, Clerk's Office of the Court of Appeals. *Burghers*, p. 57; *Minutes*, vol. III, pp. 210 and 214; Max J. Kohler, "Phases of Jewish Life in New York Before 1800, Part 1" *PAJHS*, vol. II (1894), p. 82; *Ibid.*, part 2, *PAJHS*, vol. III (1895), p. 85; N. Taylor Phillips, "The Levy and Seixas Families of Newport and New York," *PAJHS*, vol. IV (1896), pp. 189-191 and 196; *Portraits*, pp. 198-201. Levy was involved in many law suits, including *Levy v. Jewell* (1703), *MCM*, vol. 1695-1704, pp. 344 and 371 where the court directed him to pay a fine for raising a "false clamor" when he charged that Jewell had been paid to serve in his place as a soldier at Albany when he had not in fact done so. Levy also lost the case in the action of *Evans v. Levy* (1722), *MCP*, file 1711-1724, Oct. 6, 1722, *MCM*, vol. 1720-1723, pp. 434-435, 438, 459, 493. For references to Levy's commercial career, see *NOL CO5/1222*, *passim*; Entry and Manifest Books, 1726-1764, New York State Library, Albany, *passim*; Nathan Simpson Letter Books. These Letter Books also contain a copy of an earlier will, dated July 30, 1717, in which Samuel Levy, Moses' brother is mentioned. At the time of his death Levy lived in the South Ward which had the greatest number of resident Jews and where his assessment of £100 was one of the highest. *NYAL*, Feb. 24, 1727. Only Frederick Philipse was assessed at a higher total, that being £120. Augustus Jay received the same valuation as Levy, while Daniel Jamison and Stephen Richards were rated at £100.

Of his sixteen Jewish neighbors, residing in the South Ward, the assessments were as follows:

PACHECO, RODRIGO, house and est.	£95
LEVY, NATHAN, house and est.	50
LOPES, MOSES, house and est.	35
JUDAH, BARUCH, house and est.	30
JACOBS, BENJAMIN, house and est.	25
JACOBS, ABRAHAM, est.	20
DE COSTA, DANIEL NUNES, est.	15
DELUCENA, RACHEL, widow, house.	15
LEWIS, RACHEL, house and est.	15
MEDINA, ISAAC, est.	15
D'AUGUILAR, J[OSEPH?], est.	10
HART, MOSES, est.	10
HYAMS, URIAH, est.	10
ISAACS, PHILIP, est.	10
PERERO, MOSES, est.	10
LOUZADA, JACOB.	5

well Considering the Certainty of Death & the Uncertain time thereof do hereby make Publish & Declare this my last Will and Testament hereby Revoaking & Disannulling all other Wills heretofore by me made Either in word or writing and this only to be Derived & taken for my last Will & Testament in manner & form following That is to Say First & Principally I Give & bequeath my Soul to God that gave it & my Body to the Earth to be Decently buried at the Discretion of my Executors hereafter named *Item* my Will is That all my Just Debts which I Owe to any manner of Person or Persons be duely & Justly paid & Satisfied in Some Short time after my Decease by my said Executors *Item* my Will is and I do hereby give Devise & bequeath unto my Son ASHER LEVY² One Silver Mugg of the Weight of Twenty Ounces *Item* I give & bequeath unto my Daughter MIRIAM LEVY³ One hundred pounds Current Money of New York to be paid her by my Executors when She Shall Come of Age or be Married & above her part and Share herein after bequeath unto her. *Item* I Give and Bequeath unto my Grandson NAPHTALI FRANKS⁴ one piece of Silver Plate of the Value of Twelve pounds *And* all the Rest Residue and Remainder of my Estate both real & personall whatsoever & wheresoever (after the Same is Sold & Disposed of by my Executors hereafter Named which I do Direct & Empower them to do as Soon as Conveniently may be) I DO give Devise and bequeath unto and Among my loving wife GRACE LEVY my Sons NATHAN LEVY,⁵ ISAAC LEVY,⁶ MICHAEL LEVY,⁷ SAMSON LEVY,⁸ BENJAMIN

² Asher Levy was in New York in 1718. Some time after that he went to London where he met with financial reverses and was declared bankrupt in 1732. He returned to the colonies in 1740 and died in Philadelphia in 1742. Conveyance Liber 28, cp. 513–514; *New-York Gazette*, June 3, June 17, June 24, 1728; *Gentleman's Magazine* (London), vol. II (1732), p. 1032; Abigail Franks to Naphtali Franks, July 6, 1740 and Aug. 29, 1742 (Abigail Franks letters, Friedman Collection, American Jewish Historical Society).

³ Miriam Levy (1720–1748). See *PAJHS*, vol. XXXIII (1934), p. 210.

⁴ Naphtali Franks (1715–1796), eldest son of Jacob Franks and Abigail, daughter of Moses Levy, was an important merchant who spent most of his life in England. Samuel Oppenheim, "Genealogical Notes on Jacob Franks from Official Records," *PAJHS*, vol. XXV (1917), p. 77. See Abigail Franks letters, Friedman Collection, American Jewish Historical Society, *passim*.

⁵ Nathan Levy (1704–1753), was a Philadelphia merchant interested in the communal affairs of New York and Philadelphia. *PAJHS*, vol. IV (1896), pp. 193 and 195; Elvira, N. Solis, "Some References to Early Jewish Cemeteries in New York City," *PAJHS*, vol. VIII (1900), pp. 139–140; Sabato Morais, "Mickve Israel Congregation of Philadelphia," *PAJHS*, vol. I (1905), p. 20.

⁶ Isaac Levy (1706–1777) was a New York, Philadelphia, and Boston merchant. Lee M. Friedman, "Early Jewish Residents in Massachusetts," *PAJHS*, vol. XXIII (1915), p. 85.

⁷ Michael Levy (b. 1709), a New York merchant was part owner of the brig *Prince Frederick*, Entry of Sept. 26, 1722 (NOL Co 5/1225). In 1739, he was indicted for assaulting Henry Breasted, High Constable of New York (Minutes, Court of General Sessions, vol. 1722–1743, p. 276, New York County Clerk's Office, 32 Chambers Street, New York City). In 1742, he was in Jamaica (Abigail Franks to Naphtali Franks, Aug. 29, 1742 [Friedman Collection, American Jewish Historical Society]).

⁸ Samson Levy (1722–1781) went to Philadelphia with his sister, Hetty, and his

LEVY,⁹ & JOSEPH LEVY¹⁰ & my Daughters RACHELL LEVY,¹¹ MIRIAM LEVY, HESTER LEVY,¹² & HANNAH LEVY¹³ Share & Shares alike to be paid them by my Executors in the Manner following That is to Say The Severall parts Shares & portions of my Said wife GRACE LEVY¹⁴ & of my Sons NATHAN LEVY ISAAC LEVY & MICHAEL LEVY to be paid them by my Executors within five Years after my Decease And the Severall Parts Shares or portions of my sons SAMSON LEVY, BENJAMIN LEVY, & JOSEPH LEVY & of my Daughters RACHEL LEVY, MIRIAM LEVY, HESTER LEVY, & HANNAH LEVY to be paid them when they Shall respectively come of Age or be Married And that in the meantime the Same to Remaine in the hands of my Executors hereafter Named to be by them Employed in Trade or put to Interest as they shall think most Convenient, And the Profitts of Such Trade, or the Interest to be by them Employed for & Towards the Support and Maintenance of my Said wife & Children untill they Shall respectively receive their Shares hereby bequeathed unto them. And if any or Either of my Said Children Shall happen to dye before they Shall Come of age or be Married That then the Share or portion of Such child or Children Shall be & remaine to and Among the Surviving Child or Children Share & Share alike as aforesaid But if it Shall So happen that my Said wife GRACE LEVY shall not be Satisfied and Contented with the part or portion Allotted her by this my Will but Shall Insist upon the performance of Certain Articles of Agreement made between & my Said wife GRACE LEVY

brother, Joseph, in 1740, after the death of their mother, Grace (Abigail Franks to Naphtali Franks, Nov. 9, 1740 [Friedman Collection, American Jewish Historical Society]).

⁹ Benjamin Levy (1726-1822) became a settler of Newport. *PAJHS*, vol. IV (1896), pp. 190, 203 and 213.

¹⁰ Joseph Levy (1728-1772) became a freeman of New York on November 7, 1752. *Burghers*, p. 177; *Dictionary*, p. 92.

¹¹ Rachel Levy married Isaac M. Seixas about 1740. *Portraits*, p. 470; *Dictionary*, p. 95. See Will of Michael Michaels in which she is left a legacy of £300. *Infra*, pp. 354-355.

¹² Hester is depicted in a contemporary account by William Black, Secretary of Commissioners appointed by Gov. William Gooch of Virginia to deal with the Indians. He records:

. . . I went to Mr. Levy's a Jew and very Considerable Merch't, he was a Widdower And his Sister Miss Hettie Levy kept his House. We Staid Tea and was very agreeably Entertain'd by the Young Lady; She was of the middle Stature, and very well Made her Complexion Black but very Comely she had two Charming Eyes and well turn'd, with a Beautiful head of Hair, Coal Black . . . She was a Lady of a Great Deal of Wit, Join'd to a Good Understanding, full of Spirits, and a Humour Exceeding Jocose and Agreeable.

R. Alonzo Brock, "Journal of William Black, 1744," *Pennsylvania Magazine of History and Biography*, vol. I (1877), pp. 415-416. The editor of the Journal identifies the Mr. Levy as Samson Levy, a subscriber to the dancing assembly of 1748. The account is dated Philadelphia, Tuesday, June 5, 1744.

¹³ Hannah Levy (1723-1751) later married Joshua Isaacs. Iyda R. Hirsh, "Mears Family and Their Connections, 1696-1824," *PAJHS*, vol. XXXIII (1934), p. 210.

¹⁴ Grace Levy, *née* Grace Mears (1694-1740), daughter of Sampson Mears, married David Hays in April 1735. *Portraits*, pp. 225-226.

(then GRACE MEARS) & JACOB MEARS¹⁵ before our Marriage That then my Will is And I hereby Order & Direct That my Said Executors Shall and do within five Years after my Decease pay to my Said wife GRACE LEVY Such sum & Sums of Money Plate and other things whatsoever as I by the Said Articles have Covenanted & agreed to leave her by my Will which payment Shall be in Lieu & Stead of her Part Share & Portion herein before by me bequeathed unto her and the Same Shall be a Barr to her from any further Claime or Demand whatsoever by Vertue hereof or any other whatsoever. *And Lastly* my Will is and I Do hereby Nominate and Appoint my loving wife GRACE LEVY my sons NATHAN LEVY & ISAAC LEVY, my son in law JACOB FRANKS¹⁶ & my brother in law JUDAH MEARS¹⁷ Executors of this my last will and Testament And do Desire them to See the same duely & truly performed According to the true Intent and meaning of these Presents *In Testimony* whereof I Do hereby Publish & Declare this to be my last will and Testament and have hereunto in the presence of the Witnesses Subscribed Set my hand & Seal in New York the Thirteenth day of June in the Second Year of the Reign of our Sovereign Lord GEORGE THE SECOND by the Grace of God King of Great Brittain France & Ireland Defender of the faith etc. In the Year One Thousand Seven Hundred & Twenty Eight.

s/ MOSES LEVY

seal

Signed Sealed Published & Declared by
the Said MOSES LEVY as his last Will &
Testament in the presence of us who have
Subscribed our Names as Witnesses hereunto
in the presence of the Testator /

s/ MATTHEW CLARKSON¹⁸

s/ MOSSES LOPEZ DE FONSECA¹⁹

s/ RICH. NICHOLS²⁰

¹⁵ Jacob Mears, seemingly brother of Sampson Mears and Grace's uncle, was a merchant of St. James, Westminster, England. Chancery Decrees before 1800, File M, No. 19, Clerk's Office of the Court of Appeals, Albany.

¹⁶ See *supra*, Will of Samuel Levy, p. 344, note 6.

¹⁷ Judah Mears (d. 1762), brother of Grace Mears, was a merchant of New York and Princeton, New Jersey, as well as president of Shearith Israel in 1741-1742. "Minutes of Shearith Israel," *PAJHS*, vol. XXI (1913), p. 211; vol. XXXIII (1934), p. 201; *Portraits*, pp. 14, 15, 201, 229 and 240. For business dealings see Elizabeth Schuyler Account Book, p. 79, New-York Historical Society Library. He was very litigious and often appeared in court. He was also involved in an action when he was assaulted by Stephen and Oliver Delancey. See *King v. Delancey and Montagne* (1742), Minutes of the Court of General Sessions, vol. 1722-1743, pp. 320-321, New York County Clerk's Office, 32 Chambers Street, New York City.

¹⁸ Matthew Clarkson, merchant of New York, was made freeman on January 9, 1728 *Burghers*, p. 110.

¹⁹ See *infra*, Will of Jacob Fonseca, p. 353, note 13.

²⁰ See *infra*, Will of Michael Michaels, p. 355, note 7.

New York December 18, 1728

Be it known to all persons whom it may Concern *That* I JACOB FRANKS of the City of New York aforesaid Merchant for Diverse good Causes & Considerations have Relinquished my right and title as Executor to the Last will and Testament of MOSES LEVY Late of the Said City Merchant and *In Witness* whereof I have hereunto Set my hand & Seal the day & Year above written.

s/ JACOB FRANKS

seal

Testis

s/ J. HUGHES

X

JACOB FONSECA¹

[1729]

In the Name Of God Amen I JACOB FONSECA of the City of New York merchant being in Good health of Body and of Sound & perfect mind and Memory and considering with my Self the Certainty of Death And the uncertainty of the time & hour thereof as also the danger & hazards unto which I am Likely to be Exposed during A voyage I intend Speedily (by Gods Grace) to take to the Island of Jamaica² do make ordain And declare this to be my Last will and Testament in Manner and form following And First and principally I Commend my Soul into the hands of Almighty God my Creator and my Body to be disposed of as providence Shall order it and Such Estate as the Lord hath graciously bestowed on me I give devise and bequeath unto the Several persons following, that is to Say, for all Such debts as I shall owe at the time of my Decease I desire that the Same may be paid by my Executrix hereafter named *Item* I give devise and bequeath unto my Eldest Son ISAAC FONSECA³ The Sum of Five pounds of Currant money of This province of New York for his birthright moreover I Give devise and bequeath unto my said son ISAAC the Sum of fifty pounds of Like money for his proper use and behoof for ever & to be debarred from all claims & pretentions either on my seal or personal Estate *Item* I give devise & bequeath unto my dear beloved wife REBECCA FONSECA⁴ three Negro's Women named BETTY

¹ Albany Will no. F-5, Clerk of the Court of Appeals. Except for this will, there is very little to identify Fonseca.

² Jacob Fonseca possibly died in Jamaica.

³ For reference to Isaac in the Minutes of Shearith Israel, see *PAJHS*, vol. XXI (1913), pp. 27-28.

⁴ For similar references to Ribca De Fonseca, see *ibid.*, p. 16.

SARAH & FABA with her child & a Negro man named GNATTO, *To Have and to Hold* unto my Said REBECCA the three said Negro Women Negro Man & Child⁵ for proper use & behoof for & during her Life & after her decease to be divided amongst my Six Children hereafter named Share and Share Alike *Item* I give devise and bequeath all my Estate not hereinbefore mentioned as well real & personal either in possession or expectant in reversion whatsoever & wheresoever unto my Six Children ABRAHAM FONSECA,⁶ JOSEPH FONSECA,⁷ RACHEL FONSECA, ESTHER FONSECA, JUDITH FONSECA & SARAH FONSECA To Have & to hold Each of them one Equal Sixth part thereof to be divided & distributed to them when they from time to time Shall come to Age or as my daughters Shall marry for their respective use behoof & benefit unto them the said ABRAHAM, JOSEPH, RACHEL, ESTHER, JUDITH, & SARAH Their heirs (of their bodys, bodys, Lawfully begotten) and Assigns forever, And in case anyone or Some of my Aforesaid Six Children Should happen to dye Under Age then his her or their Share or Shares Shall come to the Survivor or be Equally divided Amongst the Survivors of them as aforesaid *Item* I do hereby constitute and appoint my Said Loving wife REBECCA FONSECA to be Sole Executrix of this my Last will and Testament and I do desire my Loving Friend Mr. DANL. NUNEZ DA COSTA⁸ to help and Assist my aforesaid Wife and Executrix in the Managing of the Affairs (if by her required) *In Witness* whereof I the Said Testator JACOB FONSECA do hereunto Set my hand and Seal and published and declared this only to be my Last will and Testament this thirtieth day of November in the first Year of the reign of our Sovereign Lord GEORGE THE SECOND by the Grace of God of Great Brittain France & Ireland King Defender of the faith etc. or *Anno Domini* 1727. JACOB FONSECA LS. Signed Sealed published and Declared by the Said Testator JACOB FONSECA as and for his Last will and Testament in the presents of us WM. WALLING,⁹ GABRIEL LA BOYTEAUX¹⁰ DAVID LE TELLIER¹¹

Know All Men That I the Said JACOB FONSECA have made & ordered this Codicil that is to Say that I do empower my Said Dear beloved wife REBECCA FONSECA to hire out or Sell [] & dispose of my House & Yard being in Spanishe Town in the Island of Jamaica, as Likewise one

⁵ The widow Fonseca was paid some £7 by the Congregation for the hire of two Negroes. *Ibid.*, pp. 18–19.

⁶ Abraham Fonseca's account to Shearith Israel is listed as of 1729 in *ibid.*, p. 21.

⁷ Perhaps this is the Joseph Fonseca who married Abigail Nunes. P. A. Hilfman, "Notes on the History of the Jews in Surinam," *PAJHS*, vol. XVIII (1909), pp. 189 and 207.

⁸ Daniel Nunes Da Costa (c. 1704–1789) possibly married Philah Nunes who died in 1818. *Portraits*, p. 383; *Dictionary*, p. 136.

⁹ William Walling, a baker, was made freeman of New York on August 21, 1722. *Burghers*, p. 103.

¹⁰ Laboyteaux was made freeman of New York on August 3, 1688. *Ibid.*, p. 54.

¹¹ Le Tellier also witnessed the will of Peter Alard dated August 12, 1730. *NYHSC*, vol. III (1895), p. 3.

thousand acres of Sand Lying in the parish of Martha Bree in the Island of Jamaica aforesaid & that the moneys arising from such Sale Shall be divided into Seven Equal Shares one Share Thereof for the proper use & behoof of her the Said REBECCA FONSECA for Ever and unto ABRAHAM FONSECA, JOSEPH FONSECA, RACHEL FONSECA, ESTHER FONSECA, JUDITH FONSECA, & SARAH FONSECA *To Have* and to hold one Equal Sixth part thereof, as it is mentioned in The Testament, *Item* that all my plates, pearls, and Jewels shall also remain for the proper ownuse and behoof of my Said Loving wife for & during her Lifetime and After her decease to be Equally divided Amongst my Six Children as in the Testament before mentioned Moreover I confirm my said Loving wife to be Sole Executrix as aforesaid and I desire Mr. DAN. NUNEZ DA COSTA to help and assist my said Wife as aforesaid *In Witness* whereof I have hereunto Set my hand and Seal in New York the 28th day of July 1728 JACOB FONSECA LS Signed Sealed & delivered in presents of us ABRAHAM RODRIQUES DE RIVERA¹² MOSES LOPEZ D FONSECA¹³ DAVID LE TELLIER.

New York October 14th 1729

Recd from the Secretary's Office of this province The Original of this Will and Codicil of which the above is a true Copy.

s/ REBECCA FONSECA

Testis

s/J. B. HUGHES

[Frontispiece]

Copy of the Will & Codicil of JACOB FONSECA both proved before ISAAC BOBIN¹⁴ Esq. Aug. 9th 1729 by DAVID LE TELLIER one of the Subscribing Witnesses to both: the Estate of the Testator Lying in Jamaica the Original Will delivered to the Executrix

¹² Abraham De Rivera (d. 1765) became a freeman of New York on July 19, 1726, was naturalized in 1740, and about 1748 moved to Newport, Rhode Island. He was an early officer of Shearith Israel. *Burghers*, p. 103; *Dictionary*, p. 149, *PAJHS*, vol. XXI (1913), pp. 5, 8, 10, 15–16 and 19–20.

¹³ Moses Lopez de Fonseca, *Hazzan* [reader] for Shearith Israel, 1728–1736, left for Curaçao sometime in late 1736. He seems to have returned to New York City in 1743 since his name is listed in an account book of that year. *PAJHS*, vol. XXI (1913), pp. 35–36; Peter Jay Day Book, September 19, 1743, New-York Historical Society Library.

¹⁴ On July 3, 1721 Isaac Bobin was granted a commission to be registrar of the Court of Chancery and in the following month was permitted to administer the oath of Executors and Administrators of Wills. *Calendar*, p. 19.

XI

MICHAEL MICHAELS¹

[1737]

In the Name of God Amen I MICHAEL MICHAELS of the City of New York Merchant being Weak of Body but of Sound and perfect mind Memory and Understanding Do make and Ordaine this my last Will and Testament in Manner and form following That is to Say *First* and Principally I Recommend my Soul to Almighty and my Body to the Earth to be Buryed at the Discretion of my Executors hereafter Named And as touching Such Worldly Estate as it has pleased God to bless me with I give and bequeath the Same as follows *First* my Will is that my Just Debts and Funeral Charges be paid and Satisfyed in Some Short time after my Decease *Item* I Give and bequeath unto RACHAEL LEVY² of the City of New York Spinster Daughter of MOSES LEVY late of the said City Merchant Deceased the Sum of Three Hundred Pounds Current Money of New York which I hereby Order my Executors hereafter Named to pay her out of the first Moneys which Shall come to their hands *And* all the Rest and Residue of my Estate of what kind or Nature Soever I Give and bequeath unto my Honoured Father MOSES MICHAELS³ of the City aforesaid Merchant *And* I Do hereby Nominate Constitute and Appoint my Said Father MOSES MICHAELS, SAMUEL MYER COHEN⁴ and DAVID HAYS⁵ of the Said City of New York Merchants Executors of this my last Will and Testament and do Desire them to see the Same duly and truly performed According to the true Intent and meaning hereof *And* I Do hereby Revoke all other Wills by me heretofore made Either by word or writing and this only to be Deemed and taken for my last Will and Testament *In Testimony* whereof I the said MICHAEL MICHAELS have hereunto put my hand and Seal this Twelfth day of February in the Tenth Year of the Reign of our Soverign Lord GEORGE THE SECOND by the

¹ Original Will no. 60A, HDC; Will Liber 13, p. 74; *NYHSC*, vol. III (1895), p. 222. Michaels is mentioned in the Minutes of Shearith Israel as contributing three shillings toward the purchase of a burial ground in 1728 and as being an officer on March 3, 1737. *PAJHS*, vol. XXI (1913), pp. 8 and 36. He died shortly after that date and sometime before March 31, 1737 when his will was probated. The name Michaels appears also as Michael and as Michal, etc.

² See *supra*, Will of Moses Levy, p. 349, note 11.

³ See Will of Moses Michal, *infra*, p. pp. 359–361.

⁴ See Will of Samuel Myer Cohen, in next installment.

⁵ David Hays (d. 1778) was a merchant who was made freeman of New York on September 16, 1735, and who earlier in that year and on April 28th married Grace Mears. Chancery Decrees before 1800, File H, No. 19, Clerk's Office of the Court of Appeals, Albany. For business records of Hays, see Entries on pp. 130 and 173–174, Day Book of Peter Jay, New-York Historical Society Library. For his legal involvements, see *Hays v. Peek* (1735), *MCM*, vol. 1731–1736, pp. 466 and 472; and *Hays v. Bowman* (1747), *MCM*, vol. 1742–1748, p. 593.

Grace of God King of Great Britain France and Ireland Defender of the faith and So Forth And in the year One Thousand Seven hundred and Thirty Six.

Signed Sealed Published and Declared

by the said MICHAEL MICHAELS as his last Will and Testament in the presence of us who have Subscribed our Names as Witnesses thereto in the presence of the Said Testator

s/ MICHL MICKALLS

seal

s/ ELISABETH CARTHEW

s/ ALEXANDER ALLAIRE⁶

s/ RICHD: NICHOLLS⁷

March 31 Jurat &
Saw ye other two witnesses
Sworn tors
3 Executors Sworn on
ye old Testament

New York March 31-1737

Be it remembered that on the Day and year above written psonally appeared before me FREDERICK MORRIS⁸ being thereunto Delegated & appointed RICHARD NICOLLS & made oath on the holy evangelists of Almighty God that he Saw MICHAEL MICHAELS Sign Seal Publish and Declare the within Writen to be his Last will & Testament & that at the time thereof he was of Sound Disposing mind & Memory according to the best of his Judgment & Understanding & that he Signed his Name as Wittness thereto in his presence and that he Saw ELIZABETH CARTHEW & ALEXANDER ALLAIER Sign their Names as Wittnesses to Said Will in presence also of the Testator

Be it also Remembred that on the Day and year first above Written personally peared before me FREDERICK MORRIS authorized as aforesaid MOSES MICHAELS, SAMUEL MYER COHEN, DAVID HAYS and were on the old Testament to the Due Execution & performance thereof

Jurat

Coram

⁶ Alexander Allaire, a cooper, was made freeman of New York on May 15, 1705. Possibly a son by the same name was made freeman twenty six years later. *Burghers*, pp. 86 and 116.

⁷ Richard Nicholls was coroner of New York during 1732-33 and 1735, was appointed notary public in 1740 and registrar of the Court of Vice Admiralty in 1763. *Calendar*, pp. 22-23, 25 and 34.

⁸ Frederick Morris was granted a license to practice law in December, 1728, and was made registrar of the Court of Chancery in November, 1730 and deputy secretary of the Province in March, 1738. *Ibid.*, pp. 21-22 and 33.

XII

RACHEL LUIS¹

[1737]

In the name of God Amen I RACHEL LUIS being sick of body but of sound mind and Memory Do make this my last will and Testamit in manner and form following that is to say I wish and order that after my Decease my body be intered in a Decent manner after and according to the Ceremonies used among the Jewish nation Item after my Debts and funeral Charges being first paid I will give and bequeath and DAVID MACHADO² of this City of New York Merchant all and every my goods and Chattells and all my personall Estate whatsoever and wheresoever to him his Executors and Administrators forever Except only the household furnitur such as pewter bed and Bedding chairs tables potts and pans and Cubbard spoons which furnitur I order to be sold by my Executors and the money arising therefrom to be applied to buy a Shefer Tora [Torah Scroll] for the use of the Kall Kados³ of Sherith Ysraell in New York Lastly I do nominate and appoint my friend DAVID MACHADO above named to be my Executor of this my last will and Testemt in Witness whereof I have hereunto put my hand & Seal this Eighth Day of April in the Tenth year of the Reign of his present Majesty King GEORGE THE SECOND [of] great Britain etc.

s/ RACHL LUIS

seal

Published and Declared signed & sealed to be the last will and testamit of RACHEL LUIS in the presence of the witnesses hereto Subscribing in her presence

s/ LUIS GOMEZ⁴s/ RODRIGES DE RIBERA⁵ s/ ABRAHAM DE RIVERA⁶s/ WILLIAM JAMISON⁷

¹ Original Will no. 37, HDC; Will Liber 13, p. 75; NYHSC, vol. III (1895), p. 223. Little is known about Rachel Luis or Lewis. In the Minutes of Shearith Israel mention is made that she left ten pounds to purchase a Sepher Torah [parchment scroll of the Five Books of Moses]. Since this sum does not appear in the will, the value of her household goods which she directed to be sold for this purpose must have been of that amount. No mention is made in the will of an *Escaba* or *Hascaba* [memorial prayer for the dead], but this is ordered as part of her will directives by David Machado, her executor. *PAJHS*, vol. XXI (1913), p. 37. In 1730, she resided in the South Ward in the house of widow Symes, NYAL, Feb. 28, 1730.

² David Machado (d. 1747) was a merchant and minister of the Congregation Shearith Israel. *Ibid.*, pp. 11, 20, 23, 28, 30 and 35-38; *Portraits*, p. 409.

³ Spelled also Kaal Kados, meaning Holy Congregation.

⁴ See Will of Lewis Gomez, *infra*, pp. 361-363.

⁵ Possibly Isaac Rodriques De Rivera or Daniel Rodriques De Rivera. Both were contemporaries who donated funds to Shearith Israel. *PAJHS*, vol. XXI (1913), pp. 44-45, 53 and 63. ⁶ See *supra*, Will of Jacob Fonseca, p. 353, note 12.

⁷ William Jamison, an attorney, was made freeman of the city on February 11, 1731. *Burghers*, pp. 116 and 483.

New York April the 13th 1737

Be it remembered that on the day & year above written personally appeared before me FREDERICK MORRIS being thereunto Delegated & appointed ABRAHAM RODRIGES DE RIBERA one of the Subscribing Witnesses to the within Will of RACHEL LUIS & made oath on the holy Evangelists of Almighty God that he saw the said RACHEL LUIS sign seal Publish & Declare same to be her last Will & Testament and that at the time thereof she was of Sound & Disposing Mind and Memory to the best of her understanding that he the Doponent Signed his Name as Wittness thereto in presence of the testatrix and at the same Time saw LEWIS GOMEZ and WILLIAM JAMESON, sign their Names as witnesses thereto in presence of the Testatrix also.

The last will of
RACHELL LUIS

13 April 1737

Be it remembered that on the day & year above written personally appeared before me FREDERICK MORRIS being thereunto Delegated & appointed DAVID MACHADO the Executor in the within Will Named & took the oaths of an Executor for the Due Execution & performance of the said Will

XIII

URIAH HYAM¹

[1740]

In the Name of God Amen this first Day of November 1740 I URIAH HYAM now resident of the City of New York Chandler, being very Sick & weak of Body but of perfect mind & memonory thanks be given unto God, Therefore calling unto mind the Mortallity of my body & knowing it is appointed for all men once to dye Do make & ordain this my last will & testament. That is to say, principally & first of all I recommend my Soul unto the hands of God that gave it & my body I recommend to the

¹ Original Will no. 110A, HDC; Will Liber 14, *NYHSC*, vol. III (1895), pp. 320–321. Outside of this will little is known of Hyam, although his name does appear occasionally in the Minutes of Shearith Israel. In 1738, he paid £3 to the Congregation. In 1740 he donated £2, but an account of £1.4 in his name is noted as “bad.” Uriah appears to also have been known as Henry. *PAJHS*, vol. XXI (1913), pp. 39, 42–43, and 45. Unlike most Jewish wills, Hyam made his mark rather than writing his signature.

earth, to be buried in a Decent Manner at the Discretion of my Executors not doubting but at the General Resurrection I shall receive the same again by the Mighty power of God, & as touching the worldly estate wherewith it hath pleased God go bless me in this Life, I give Demise & Dispose of the Same in manner & form following.

Imprimis, I give & bequeath unto my brother ENOCH, Living in Bohemia The Sum of Twenty pounds, current money of this province, to be raised & levied out of my estate.

Item, I give & bequeath to the youngest Son, my Son ANDREW ISRAEL now has in the Island of Jamaica my Negro boy named CAVANDRO.

Item, I give & bequeath to the Congregation of the Children of Israel here in New York, the Sum of Six pounds currant money of the province to be raised & Levied out of my estate, to be employed in the Lining of the place wherein the five books of Moses is kept. Lastly, I give & bequeath to my dear & well beloved son ANDREW ISRAEL of the Island of Jamaica whome I likewise, make ordain and constitute one of my Executors of this my Last will & testament All the residue & remainder of my Estate both real and personal (after my funeral charges & Just and Lawfull debts are paid out of the same) freely to be possessed and enjoyed by him his Heirs & assigns forever. I also constitute ordain & Apoint Mr. JACOB FRANKS² & Mr. MORDECAI GOMEZ³ Merchants of the City of New York, Executors of this my Last will and testament.

And I do hereby utterly disallow revoke & disannul all and every other will & testament by me before this made, Rattifying & confirming this & no others to be my last will and Testament. In Witness whereof I have hereunto set my hand & seal the Day & year above written.

Signed, Sealed & Published

pronounced & Declared

by the Said URIAH HYAM as

his Last will & Testament

In the presence of all the

Subscribers,

URIAM HYAM his

mark

seal

s/ JOS SIMSON⁴

s/ DAVID MACHADO⁵ 14 January 1740/1 sworn and saw the other two sign

s/ JOSHUA ISAACS⁶

Mr. FRANKS and Mr. GOMEZ Renounced and the other Executor living in Jamaica administrator with the will annexed granted to ABRAHAM ISAACS⁷ and JOSEPH SIMSON

² See *supra*, Will of Samuel Levy, p. 344, note 6.

³ See Will of Mordecai Gomez in next installment.

⁴ See Will of Joseph Simson in next installment.

⁵ See Will of Rachel Luis, *supra*, p. 356.

⁶ See Will of Joshua Isaacs in next installment.

⁷ Abraham Isaacs (d. 1743), merchant, was made freeman of New York on August 6, 1723 and was elected Constable of the South Ward in 1725. He was prominent in Jewish affairs, being one of the petitioners to obtain a burial ground. *PAJHS*, vol. XXI (1913), pp. 7-8, 10, and 19-20; *Minutes*, vol. III (1905), p. 374.

XIV

MOSES MICHAL¹

[1740]

In the Name of God Amen

On this 22 January 1740 appeared before me ALDERT POTTEY² Secretary in the Service of the generall West India Company of the Netherlands Residing on the Island of Curaçao in the Presence of the witnesses hereinafter named Mr. MOSES MICHAL, widdower of late Mrs. CATHARINA HACHER of the Jewish nation now being on the said Island and known by mee the Secretary and witnesses being he the appearant Sickly but well having and using his understanding memory and Speech as unto us the Secretary and witnesses evidently appeared, who in Consideration of the Certainty of death and the uncertain time and hour thereof was designing to dispose of his Temporall estate given him by almighty God, which he the appearant declared to do by these presents and that out of his own and free will without Induction or Persuasion of any Person and before Proceeding therein, he the appearant has Recomendated his Soul to the mercy of god and his dead body to the earth in the Jewish *Bethaim* [cemetery] with a decent funeral.

Further the Testator has Revoaked and annulled and by these presents Revoaking and annulling mortifying and made void all former Testaments and other Sort of Last wills by him the Testator before the date hereof made or Passed neither willing nor desiring that the same nor any of them shall have any the least effect or Force and Proceeding to his disposition, the Testator declared by these presents to bequeath to his grand daughter ELKALY MEYER COHEN the Sum of Two hundred Pounds New York money But in case she happens to dy underaged or unmarried then the said legacy shll devolve on her sister HAYA MEYER COHEN.³

¹ Albany Will no. M-10, Clerk's Office of the Court of Appeals, Albany; Will Liber 13, p. 378; *NYHSC*, vol. III (1895), pp. 294-295. This will written in Dutch, contains an official translation which is published here. Emmanuel in his book, *Precious Stones*, p. 264, was correct in assuming that since Michael's will was not in the State Archives in The Hague, it would be in New York. Moses Michal was the father of Michael Michaels and of four daughters, Jochebed, Rachel, Rebecca, and Bloeme. An early resident of New York, he appeared in the Mayor's Court in 1707. *Porto v. Michael et ux.* (1707), *MCM*, vol. 1704-1710, pp. 288, 301-302 and 304. For other litigation, see *Michael v. Nathan Simpson* (1713), *MCM*, vol. 1710-1715, pp. 354, 360, 363, 369-370 and 375. In 1730, he resided in the South Ward next to Rodrego Pacheco. *NYAL*, vol. 1721-1734, Feb. 5, 1730. He probably left for Curaçao shortly after this date, since he appears in a number of accounts of Shearith Israel in 1729 and 1730. *PAJHS*, vol. XXI (1913), pp. 19-25 and 38. His career in Curaçao is traced by Emmanuel, *op. cit.*, pp. 261-265.

² Aldert Pottey [Potteij] was Secretary of Curaçao from 1738 to 1754. Jacob A. Schiltkamp, *De Geschiedens Van Het Notariaat in Het Octrooigebied van de West Indische Compagnie* (s'Gravenhage, 1964), p. 314. See also pp. 96-97, 127, 129 and 143.

³ Elkaleh Meyer Cohen (1735-1765) and Haya Meyer Cohen were daughters of Samuel

In like manner the Testator Bequeaths to his said [grand] daughter HAYA MEYER COHEN the sum of One hundred [pounds] new york money. It being the Testators will and desire that the Said bequeathed Sumes shall be put on Interest for the [use of] the said Legatees.

Further the Testator bequeaths unto his negro PIRO [his] freedom and discharge of all slavish Service whereof [the] hereafter named Executors the due Act may be Executed.

Further the Tystator desires that all his Clouthes [] gold and Silver as also his Two Negros Called THAM and PRINS as also a Pair of Rimonim or Silver Bells⁴ by him sent out of holland after the Receipt thereof shall be Remitted to his Children and heirs.

And further disposing the Testator declares to nominate and Institute for his only and universall [heirs] his four Children by name JOHEVIT MICHAL married [to] JUDAH MEARS,⁵ RACHEL MICHAL married to SAMUEL MEYER COHEN,⁶ REBECCA MICHAL married to JUDAH HAYS⁷ and BLOEME MICHAL married to ARON LOUZADA⁸ and that in all the goods and effects as well moveable as Immoveable none Excepted which the Testator in any ways shall leave by his death to Receive and possess the Same as their Inheritance.

The Testator allso declares to nominate and appoint for Executors of this his Testament, at New York his Said four Sons in Laws and here on this Island Mr. ISAAC LEVY MADURO and Mr. COHEN HENRIQUES JUNIOR⁹ with Such ample Power and authority as the Executors by Law can Be given and granted.

Meyer Cohen and Rachel, Michaels' daughter (1707-1749) who on May 26, 1748, petitioned for guardianship over her daughters both of whom were under fourteen at the time. Orders in Chancery, vol. 1740-1770, pp. 4-5, Clerk's Office of the Court of Appeals, Albany.

⁴ These were used as ornaments on the Torah or Five Books of Moses.

⁵ See *supra*, Will of Moses Levy, p. 350, note 17.

⁶ See Will of Samuel Meyer Cohen in next installment.

⁷ Judah Hays (1703-1764) became a freeman of New York on December 2, 1735, and was elected constable of Montgomerie Ward in 1746. *Burghers*, p. 129; *Minutes*, vol. IV, p. 346. His career is marked by a great deal of litigation, see e. g. *Hays v. Brendege* (1734), MCM, vol. 1731-1736, pp. 434 and 440; *Hays v. Nox* (1738), MCM, vol. 1736-1742, p. 221. For business accounts, see Harold Korn, ed., "Receipt Book of Judah Hays, 1759-1760," *PAJHS*, vol. XXXIV (1935), pp. 117-134, and Peter Jay Day Book, pp. 224, 242 and 245 ff. and Peter Jay Ledger, p. 189, in the New-York Historical Society Library. In the Ledger is an account of a tax agreement with John Jay. See Will of Judah Hays in the next installment.

⁸ Aaron Louzada (1693-1764), a merchant of New York and New Jersey, was a frequent contributor to the Congregation along with his brother Moses. He died at Bound Brook, New Jersey on December 27, 1764, and was brought to New York for burial. *PAJHS*, vol. XXI (1913), pp. 10, 16, 19, 21, 27 and 29; *Portraits*, pp. 239-240.

⁹ Both Levy Maduro and Cohen Henriques, well known Jewish residents of Curaçao, ran an advertisement in Dutch and English as "Testamentary Executors," of Moses Michael in which they requested that "all persons having charge against said estate to deliver vouchers in 6 months from the 1st day Nov. 1740 . . ." *New-York Weekly Journal*, December 1, 1740. See also issues of December 8, 15 and 22.

All what is before written the Testator declared to be his Testament last and utmost Will and desire willing and desiring that the same after his decease shall be firm and of effect bee is as Tystament Codicil gift in case of death or among the living as so is [can] best Subsist the Tystator Praying hereon the uttmost benefit of Law and that hereof by me the Secretary shall bee made and delivered all in form.

This done and witnessed at Curacoa Present NICHOLAS HENRICUS and LAWRENCE LAAN¹⁰ as witnesses.

The minute hereof is duly Signed.

which I witness
(signed) A. POTTEY Secry.

New York 26 March 1740

Translated from a Dutch Copy Signed by ALBERT POTTEY Secretary of Curacoa.

s/ ABRAH. GOUVENEUR¹¹

XV

LUIS [LEWIS] GOMEZ¹

[1740]

In the Name of God Amen the Twenty fourth day of December in the third year of the Reign of our Sovering Lord GEORGE THE SECOND of Great Britain France and Ireland King Defender of the faith etc Anno Domino one Thousand Seven hundred and thirty; I LEWIS GOMEZ of

¹⁰ Laurens Laan, a clerk, succeeded Potteij as Secretary of Curaçao. Schiltkamp, *op. cit.*, pp. 141, 143 and 314.

¹¹ Abraham Gouverneur, was commissioned on July 15, 1732 as translator and interpreter of foreign languages. *Calendar*, p. 22.

Notes to Document XV

¹ Original Will no. 104, HDC; Will Liber 13, p. 368; *NYHSC*, vol. III (1895), pp. 292-293. Born in 1660, possibly in Madrid, Gomez died in New York on March 31, 1740. One of the most important of early New York merchants, he had a rich and varied career. Made freeman of the city on February 12, 1706, he built up a considerable mercantile interest. In 1734, he lived in the Montgomerie Ward. Gomez had a deep commitment to Shearith Israel and was one of its original founders and one of the purchasers of the burial ground. Gomez married his second wife, Esther Marchaze, in 1695. Six sons, Mordecai (1688-1750), Jacob (1720-1722), Daniel (1695-1769), David (c. 1694-1769), Isaac (1718-1770) and Benjamin (1711-1772). *Burghers*, p. 87; *NYAL*, vol. 1721-1734, Montgomerie Ward, Feb. 27, 1734; *Minutes*, vol. III (1905), pp. 447-448; *PAJHS*, vol. XXI (1913), pp. 78, 187 and 195; *Portraits*, p. 220; Directory, pp. 43-44, Conveyance Liber 32,

the City of New York and Merchant being in good health of body and blessed be God of Perfect Memory Do make this my last will and Testament in manner and forme following (vizt) First I bequeath my soule to God who geave it me and body to the Earth to be decently Interrd, And for the disposeall of such worly Estate as it hath Pleased God to bestow upon me I do give Devise and bequeath the Same as followeth: First I do hereby revoake and made null void and of no Effect all other and former wills and Testaments heretofore by me maid and Published either by word or in writeing; *Item*, it is my will and Pleasure that all my Just Debts Leggages and funerall Expenses be honestly Paid and Satisfied in convenient time after my Decease *Item* I give and bequeath unto my Eldest Son MORDECAI GOMES one pare of Silver Adornements for the five Books of Moses weying Thirty nine ounces or thereabouts in full satisfaction of his being my Eldest Son or (heire at Law) *Item* I give and bequeath to my Loving Sister ELLENOR GOMES the yearly annuale sum of Twenty five Pounds Current money of New York to be paid her by my Sons out of my Estate five pounds Each yearly which amounts to the above said sum of Twenty five pounds and allso one Negrow wench which she shall she shall chuse and at her decease it shall desend to my sons; the above Said mony to be paid her upon Every first Day of May from and after my Decease for and During her Naturall Life or in case she sees cause to live with my family than in Stead of the said anuely Sum of Twenty five Pounds She Shall have a Sufficient Maintainance out of my Said Estate; which Shall be in her choyce: the rest of my Estate Reale and personall I give Devise and bequath to my Deare and Loving Children Viz MORDECAI, DANIEL, DAVID, ISAAC and BENJAMIN GOMEZ² to be Equally Divided amongst them share and Share alike To have and to Hold to Each of them my said five Children an even and Equale fifth part thereof and to Each of their Heires and Assignes for ever And for the better Enableing my Executors to perform and Execute this my Last will; It is my will and Desire that after my Decease my Executors hereafter named or Such of them as Shall be then Living Shall Dispose of my Reale Estate to the highest bidder, and the Consideration mony from thence ariseing together with the Rest of my Estate to be Divided as aforesaid and in Case of the Decease of any of my Children before they attaine marrige the portion or portions of the Deceased Shall Decend to the Survivours of my Said Children by Even and Equall portion; Executors of his my

cp. 28–29, New York County Clerk's Office, 32 Chambers Street, New York City. It is possible a seventh son also named Lewis existed, but died prior to this will. See Inventory of Joseph Bueno, HDC which indicates a Lewis Gomez and Lewis Gomez, Jr. purchased goods. As one of the executors of Joseph Bueno's will, he was involved in litigation. See *Gideon v. Gomez, et. al.* (1709), MCP, file 1676–1710, Sept. 6, 1709, MCM, vol. 1704–1710, pp. 414 and 416; *Gomez v. Tongrolon* (1709), MCM, vol. 1704–1710, pp. 424–425 and 428–431. He was involved in numerous other actions. See especially *Gomez v. Breton* (1724), MCP, file 1711–1724, Dec. 22, 1724; MCM, vol. 1723–1728, pp. 147, 150, 186, 195 and 334–335.

² See Wills of Mordecai, David, Isaac, and Benjamin Gomez in succeeding installment.

Last will I make and appoint my five Loving Sons MORDECAI GOMEZ, DANIEL GOMEZ, DAVID GOMEZ, ISAAC GOMEZ and BENJAMIN GOMEZ; In Witness whereof I have hereunto Sett my hand and Seale the Day and year first above written.

Signed Sealed and Published
in the Presents of us 1740

s/ LUIS GOMEZ

seal

s/ T. BRAINES³

s/ FRED. WILLEMEZ⁴ May 7th Sworn & saw the other two sign

s/ JAMES BROWN⁵

MORDECAI GOMEZ, DANIEL GOMEZ DAVID GOMEZ Executors
Sworn (power to ISAAC GOMEZ and BENJAMIN GOMEZ who are
absent)

* * *

APPENDIX

ALPHABETICAL INDEX

NAME	DATE OF PROBATE
1. Brown, Esther [IV]	May 28, 1708
2. Brown, Joseph [II]	November 21, 1704
3. Bueno, Joseph De Mesquita [V]	November 1, 1708
4. De Lucena, Abraham [VIII]	September 2, 1725
5. Fonseca, Jacob [X]	August 9, 1729
6. Gomez, Lewis [XV]	May 7, 1740
7. Hyam, Uriah [XIII]	January 14, 1740
8. Levy, Moses [IX]	December 4, 1728
9. Levy, Samuel [VII]	May 21, 1719
10. Luis, Rachel [XII]	April 13, 1737
11. Marquez, Isaac Rodriquez [III]	March 24, 1707
12. Michaels, Michael [XI]	March 31, 1737
13. Michal, Moses [XIV]	March 26, 1740
14. Nunez, Joseph [I]	November 10, 1704
15. Pinheiro, Isaac [VI]	April 13, 1710

[To be continued]

³ Thomas Braines was appointed Surrogate of Queens County on December 8, 1759. *Calendar*, p. 53.

⁴ Frederick Williams, a baker, was made freeman of the city on February 23, 1725. *Burghers*, p. 106.

⁵ James Brown, a perriwig maker, was made freeman on August 26, 1712, and James Brown, a cordwainer, was also thus named. *Ibid.*, pp. 91 and 130.