

Ordered, that said account, so filed, with the amendments hereinabove specified and ordered be read the same hereby judicially settled and a final decree may be entered accordingly upon complying therewith.

S. B. Inead
Surrogate

Recorded Jan. 19, 1904

Forry & Ball, Clerk.

At a Surrogate's Court, held in and for the County of Oswego, at the Surrogate's Office, in the City of Oswego, N.Y., on the 1st day of February, 1904.

Present, Hon. Sheldon B. Inead, Surrogate

In the matter of Proving the last Will and Testament

of
Mary A. Nicholson, deceased.

Edward Nicholson, one of the next of kin of Mary A. Nicholson, late of the town of Hastings, Oswego County, New York, and the executor named in the last Will and Testament of said deceased, having presented and filed his petition, duly verified on the 15th day of November, 1903, praying for the probate of said Will, and a citation having been duly issued herein to the heirs & next of kin of said Mary A. Nicholson, deceased, and said citation having been duly returned and satisfactory proof

having been made and filed of the due and legal service thereof on Frank Nicholson, Mary and Sarah Kinney, the heirs and next of kin of said Mary A. Nicholson, deceased, and said Frank Nicholson and Sarah Kinney having appeared in Court by William Kennedy Esq. their attorney, on the 23rd day of November, 1903, the return day of said citation, and filed their answer to said petition.

and witnesses having been examined and proofs taken on the 2nd day of December, 1903, to which day said proceedings was by consent adjourned, for and on behalf of the petitioner, and the matter having been held open until this day for the

purpose of allowing the contestants to present the proofs of the facts alleged in their answer; and the petitioner having appeared by Willard A. Glen, the Attorney, and the contestants not having appeared personally or by their attorney;

and the Surrogate having heard the allegations of the parties appearing, and having inquired particularly into the facts and circumstances, and being satisfied of the genuineness of said Will and the validity of the execution, and, it appearing upon the proofs taken, that the said Will, bearing date July 21st, 1883, was duly executed, and that the said testatrix when she executed the same was of full age, of sound mind and memory and in all respects competent to make a last Will and Testament and devise real estate, and was not under restraint;

It is Ordered, Adjudged and Decreed, that the instrument offered for the probate in this matter is the last Will and Testament of said testatrix, and is properly executed, and is genuine and valid; and that said instrument be, and the same hereby is, admitted to probate and established and is a Will valid to pass both real and personal property, and that the same, together with the proofs thereof, be recorded accordingly.

Further Ordered, Adjudged and Decreed, that the objections to the probate filed by the contestants here in be and the same hereby are, dismissed as unproved and unsustained.

Further Ordered, Adjudged and Decreed, that Letters Testamentary be issued upon said Will to Edward Nicholson, the executor therein named, he being duly qualified thereunder.

Further Ordered, Adjudged and Decreed, that the petitioner be allowed the sum of forty dollars (\$40.00) as costs herein against the contestants, Frank Nicholson and Sarah Kinney, payable to his Attorney, Willard A. Glen, or to said petitioner, by the said Frank Nicholson and Sarah Kinney personally.

S. B. Inead
Surrogate

Recorded Feb 1, 1904

Forry & Ball, Clerk