

IN THE MATTER OF THE PROBATE OF THE LAST WILL AND TESTAMENT OF CATHARINE FULLER DECEASED.

ON THE 10TH DAY OF MARCH 1880, THE LAST WILL AND TESTAMENT OF THE ABOVE NAMED DECEDENT WAS DULY ADMITTED TO PROBATE BY THE SURROGATE OF THE SURROGATE'S COURT OF OSWEGO COUNTY; AND IT HAVING AS- CERTAINED THAT GEORGE R. PARSONS, AND JAY PARSONS, TWO ADULT HEIRS, AND NEXT OF KIN OF THE ABOVE NAMED DECEDENT WERE AND ARE PROPER PARTIES TO SAID PROCEEDING, BUT WERE NOT MADE PARTIES THERETO, THEREFORE,

BE IT REMEMBERED, THAT HERETOFORE, TO WIT, ON THE 25TH DAY OF MARCH, 1880, DANIEL H. GILBERT, SHERIFF NAMED IN SAID WILL APPEARED IN OPEN COURT, BEFORE THE SURROGATE OF THE COUNTY OF OSWEGO, AND FILED HIS PETITION SUPPLEMENTARY TO HIS FORMER ONE, PRAYING TO HAVE THE SAID LAST WILL AND TESTAMENT, WHICH WAS SO FORMERLY PROVED, AND ADMITTED TO PROBATE; AGAIN PROVED AND ADMITTED TO PROBATE, BY A SUPPLEMENTAL DECREE, AS A WILL OF REAL AND PERSONAL PROPERTY; AND ON SUCH APPLICATION, THE SAID SURROGATE DID ASCERTAIN BY SATISFACTORY EVIDENCE THAT SAID GEORGE R. & JAY PARSONS WERE HEIRS AT LAW AND NEXT OF KIN OF SAID DECEDENT, AND NECESSARY PARTIES TO THIS PROCEEDING, AND THEIR RESPECTIVE RESIDENCES, AND SAID SURROGATE DID THEREUPON ISSUE A SUPPLEMENTAL CITATION IN DUE FORM OF LAW, DIRECTED TO SAID PERSONS BY THEIR RESPECTIVE NAMES, STATING THEIR RESPECTIVE PLACES OF RESIDENCE REQUIRING THEM TO APPEAR BEFORE SAID SURROGATE AT THE COURT HOUSE IN OSWEGO CITY, IN SAID OSWEGO COUNTY, ON THE 16TH DAY OF MAY 1880, TO ATTEND THE PROBATE OF SAID WILL.

AND AFTERWARDS TO WIT; ON THE 16TH DAY OF MAY AFORESAID, AT THE PLACE AFORESAID, SATISFACTORY EVIDENCE BY AFFIDAVIT, WAS PRODUCED AND PRESENTED TO SAID SURROGATE, OF THE DUE SERVICE OF SAID CITATION IN THE MANNER PRESCRIBED BY LAW; AND ON THAT DAY NO ONE APPEARING TO OPPOSE THE PROBATE OF SAID WILL, SUCH PROCEEDINGS WERE THEREUPON MADE IN SAID COURT; AFTERWARDS, THAT THE SAID SURROGATE TOOK THE PROOFS OF SAID WILL HEREAFTER SET FORTH, UPON THIS 16TH DAY OF MAY 1880 AND HE THEREUPON ADJUDGED THE SAID WILL TO BE A VALID WILL OF REAL AND PERSONAL ESTATE, AND THE PROOFS THEREOF TO BE SUFFICIENT, WHICH SAID LAST WILL AND TESTAMENT AND PROOFS ARE AS FOLLOWS, THAT IS TO SAY:-----SEE PAGE 324.

F. David, Surrogate

OSWEGO COUNTY, SS

IT APPEARING UPON THE PROOFS DULY TAKEN IN RESPECT TO THE LAST WILL AND TESTAMENT OF CATHARINE FULLER LATE OF THE TOWN OF GRABBY IN THE COUNTY OF OSWEGO DECEASED, THAT THE SAID WILL WAS DULY EXECUTED, AND THAT THE SAID CATHARINE FULLER AT THE TIME SHE EXECUTED, WAS IN ALL RESPECTS COMPETENT TO DEVISE REAL ESTATE, AND NOT UNDER ANY RESTRAINT, THE SAID LAST WILL AND TESTAMENT AND THE PROOFS AND ARE HEREBY RECORDED SIGNED AND CERTIFIED BY ME PURSUANT TO THE PROVISIONS OF THE REVISED STATUTES, THIS 16TH DAY OF MAY A.D. 1880.

F. David, Surrogate

And afterwards to wit: on the 16th day of March A. D. 1880 satisfactory evidence by affidavit, was produced and presented to said Surrogate, of the due service of said Citation in the mode prescribed by law; and on that day no one appearing to oppose the Probate of such Will such proceedings was thereupon had in said Court afterwards, that the said Surrogate took the proofs of said Will hereinafter set forth, upon this 16th day of March A. D. 1880 and he thereupon adjudged the said Will to be a valid Will of Real and Personal Estate, and the proofs thereof to be sufficient, which said Last Will and Testament and proofs are as follows, that is to say:

WILL:

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SURROGATE'S COURT.

In the matter of Proving the Last Will and Testament of

Adam Kocher deceased.

Oswego County, ss

Jason Peckham of Scriba N.Y. and Alice Peckham being first duly sworn, in open Court, upon their several corporal

oaths, each for himself, doth depose and say, that they are subscribing witnesses to the last Will and Testament of Adam Kocher late of the Town of Scriba in the County of Oswego and State of New York deceased. And these deponents do further say, that the said Adam Kocher deceased, did in the presence of each of these deponents, subscribe his name at the end of the instrument in writing, which is now here shown to these deponents, and which purports to be the last Will and Testament of the said deceased, and which bears date on the 5th day of December one thousand eight hundred and eighty seven. That the said deceased did at the time of subscribing his name to the said instrument as aforesaid, declare the same to be his last Will and Testament; and these deponents did thereupon subscribe their own respective names at the end of said instrument, as attesting witnesses to the execution thereof, each at the request of said deceased, and in his presence and in the presence of each other; That the said deceased, at the time of so subscribing his name to said instrument as aforesaid, and publishing said instrument as aforesaid, was upwards of twenty-one years of age, and a citizen of the United States; that he appeared to be, and deponent believe he was of sound mind, memory and understanding, and not under any restraint, and as deponents verily believe, in all respects competent to devise real estate; that each of these deponents saw the other sign his name to said instrument in the presence of the said deceased.

Jason Peckham, Alice Peckham

Subscribed and sworn to before me, this 15th day of March A. D. 1885 F. David, Surrogate Oswego County, ss.

It appearing upon the proofs duly taken in respect to the Last Will and Testament of Adam Kocher late of the Town of Scriba in the County of Oswego and the State of New York, deceased, that the said Will was duly executed, and that the said Adam Kocher at the time he executed the same, was in all respects competent to devise real estate, and not under restraint, the last Will and Testament and the proofs and examinations are hereby recorded, signed and certified by me, pursuant to the provision of the Revised Statutes, this 15th day of March A. D. 1885.

F. David Surrogate

LAST WILL AND TESTAMENT OF

Adam Kocher deceased.

BE IT REMEMBERED, That heretofore, to-wit, on the 28th day of February in the year of our Lord, one thousand eight hundred and eighty eight, Anna Kocher Executrix named in the LAST WILL AND TESTAMENT of Adam Kocher late of the Town of Scriba in the County of Oswego deceased, appeared in open Court, before the Surrogate of the County of Oswego and made application to have the said LAST WILL AND TESTAMENT which relates to both Real and Personal Estate proved; and on such application, the said Surrogate did ascertain by satisfactory evidence who were the widow heirs at law, and next of kin of the said testator, and their respective residences,

and said Surrogate did thereupon issue a Citation in due form of law, directed to the widow heirs at law, and next of kin by their respective names, stating their respective places of residence requiring them to appear before said Surrogate at the Court House in the city of Oswego in the said County, on the 15th day of March A. D. 1885 to attend the Probate of said Will.

And afterwards to wit: on the 15th day of March A. D. 1885 satisfactory evidence by affidavit, was produced and presented to said Surrogate, of the due service of said Citation in the mode prescribed by law; and on that day no one appearing to oppose the Probate of such Will such proceedings was thereupon had in said Court afterwards, that the said Surrogate took the proofs of said Will hereinafter set forth, upon this 15th day of March A. D. 1885 and he thereupon adjudged the said Will to be a valid Will of Real and Personal Estate, and the proofs thereof to be sufficient, which said Last Will and Testament and proofs are as follows, that is to say:

WILL:

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