

SURROGATE'S COURT

In the matter of Proving the Last Will and Testament OF

Patrick Gallagher deceased.

Cowes County, ss.

Mendell D. White and Arthur H. Wick 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 Patrick Gallagher late of the Town of Cowes in the County of Cowes and State of New York deceased. And these deponents do further say, that the said Patrick Gallagher 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 1st day of May one thousand eight hundred and Eighty Eight. 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, Mendell D. White Arthur H. Wick

Subscribed and sworn to before me, this 17th day of Jan A. D. 1889, Daniel Surrogate Cowes County, ss.

It appearing upon the proofs duly taken in respect to the Last Will and Testament of Patrick Gallagher late of the Town of Cowes in the County of Cowes and the State of New York, deceased, that the said Will was duly executed, and that the said Patrick Gallagher 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 17th day of Jan A. D. 1889 F. David Surrogate.

LAST WILL AND TESTAMENT OF

Patrick Gallagher deceased.

BE IT REMEMBERED, That heretofore, to-wit, on the 17th day of Jan in the year of our Lord, one thousand eight hundred and Eighty Eight James A. Gallagher Executor named in the LAST WILL AND TESTAMENT OF Patrick Gallagher late of the Town of Cowes in the County of Cowes deceased, appeared in open Court, before the Surrogate of the County of Cowes 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. All parties having duly named citation & consented to the probate of said will, & a Special Guardian having been duly appointed and said Surrogate did thereupon issue a Citation in due form of law, directed to the 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

in the city of Cowes in the said County, on the 17th day of Jan A. D. 1889 to attend the Probate of said Will, for the purpose to represent same in this proceeding

And afterwards to-wit: on the 17th day of Jan A. D. 1889 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 17th day of Jan A. D. 1889 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:

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SURROGATE'S COURT

In the matter of Proving the Last Will and Testament OF

Thomas H. Austin deceased.

Cowes County, ss.

Frank W. Kellogg and Maximilian Joyce 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 Thomas H. Austin late of the Town of New Haven in the County of Cowes and State of New York deceased. And these deponents do further say, that the said Thomas H. Austin 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 1st day of November one thousand eight hundred and Eighty Five. 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, Frank W. Kellogg Maximilian Joyce

Subscribed and sworn to before me, this 3rd day of Jan A. D. 1889 Daniel Surrogate Cowes County, ss.

It appearing upon the proofs duly taken in respect to the Last Will and Testament of Thomas H. Austin late of the Town of New Haven in the County of Cowes and the State of New York, deceased, that the said Will was duly executed, and that the said Thomas H. Austin 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 17th day of Jan A. D. 1889 F. David Surrogate.

LAST WILL AND TESTAMENT OF

Thomas H. Austin deceased.

BE IT REMEMBERED, That heretofore, to-wit, on the 7th day of Dec in the year of our Lord, one thousand eight hundred and Eighty Eight Amelia E. Clark Executrix named in the LAST WILL AND TESTAMENT OF Thomas H. Austin late of the Town of New Haven in the County of Cowes deceased, appeared in open Court, before the Surrogate of the County of Cowes 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 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 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 Cowes in the said County, on the 17th day of Jan A. D. 1889 to attend the Probate of said Will.

And afterwards to-wit: on the 17th day of Jan A. D. 1889 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 17th day of Jan A. D. 1889 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: SEE PAGE 476