

In the matter of Proving the Last Will and Testament

OF Rhoda Wilber deceased.

OSWEGO COUNTY, ss.

Donny M. Drake and Ella M. Drake being first duly sworn, in open Court, upon their several corporeal oaths, each for himself, doth depose and say, that they are subscribing witnesses to the last Will and Testament of Rhoda Wilber late of the town of Volney in the County of Oswego, and State of New York, deceased. And these deponents do further say, that the said Rhoda Wilber deceased, did in the presence of each of these deponents, subscribe her 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 fifth day of January one thousand eight hundred and eighty six. That the said deceased did at the time of subscribing her name to the said instrument as aforesaid, declare the same to be her 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 her presence and in the presence of each other; That the said deceased, at the time of so subscribing her 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 she appeared to be, and deponent believe she 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 her name to said instrument in the presence of the said deceased.

Subscribed and sworn to before me, this 10th day of July A. D. 1890 F. David Surrogate.

OSWEGO COUNTY, ss.

It appearing upon the proofs duly taken in respect to the Last Will and Testament of Rhoda Wilber late of the town of Volney in the County of Oswego, and the State of New York, deceased, that the said Will was duly executed, and that the said Rhoda Wilber at the time she 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 10th day of July A. D. 1890. F. David Surrogate.

In the Matter of Proving the Last Will and Testament

OF Rhoda Wilber deceased.

BE IT REMEMBERED, That heretofore, to-wit, on the 12th day of May in the year of our Lord, one thousand eight hundred and ninety Walter S. Wilber Executor named in the LAST WILL AND TESTAMENT OF Rhoda Wilber late of the town of Volney 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 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 C. N. Davids in the village of Fulton in the said County, on the 10th day of July A. D. 1890 to attend the Probate of said Will.

And afterwards to-wit: on the 10th day of July A. D. 1890 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 10th day of July A. D. 1890 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

WILL: 11 2 3 4

In the matter of Proving the Last Will and Testament

OF Calvin S. Asgood deceased.

OSWEGO COUNTY, ss.

Robert G. Phillips and Lucy K. Phillips being first duly sworn, in open Court, upon their several corporeal oaths, each for himself, doth depose and say, that they are subscribing witnesses to the last Will and Testament of Calvin S. Asgood late of the town of Volney in the County of Oswego, and State of New York, deceased. And these deponents do further say, that the said Calvin S. Asgood 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 4th day of March 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.

Subscribed and sworn to before me, this 10th day of July A. D. 1890 F. David Surrogate.

OSWEGO COUNTY, ss.

It appearing upon the proofs duly taken in respect to the Last Will and Testament of Calvin S. Asgood late of the town of Volney in the County of Oswego, and the State of New York, deceased, that the said Will was duly executed, and that the said Calvin S. Asgood 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 10th day of July A. D. 1890. F. David Surrogate.

In the Matter of Proving the Last Will and Testament

OF Calvin S. Asgood deceased.

BE IT REMEMBERED, That heretofore, to-wit, on the 10th day of July in the year of our Lord, one thousand eight hundred and ninety Jennie S. Asgood Executor named in the LAST WILL AND TESTAMENT OF Calvin S. Asgood late of the town of Volney 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 heirs at law, and next of kin of the said testator, and their respective residences. They waived citation required to 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 in the of in the said County, on the day of A. D. 1890 to attend the Probate of said Will.

And afterwards to-wit: on the 10th day of July A. D. 1890 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 10th day of July A. D. 1890 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 280)