

Surrogate's Court--Oswego County.

In the Matter of Proving the Last Will and Testament of

Joseph Smidley Deceased.

Oswego County--ss.

Wm B. Forsyth being 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 Joseph Smidley late of the town of Palermo in the county of Oswego and State of N.Y. deceased.

AND THESE DEponents FURTHER SAY that the said deceased did in the presence of each of the deponents subscribe his name at the end of the instrument in writing which is here shown to the deponents and which purports to be the Last Will and Testament of the said deceased, and which bears date on the 17th day of Feb one thousand eight hundred and eighty one.

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 the 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 deponents 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.

That said Wm B. Forsyth is a son of deponent and is a single man, and has been absent from this State for most of his life, and is now absent from this State, and his whereabouts deponent does not know as he is traveling, and deponent does not know when he will return to this State, or where his testimony could be taken on commission.

Subscribed & sworn to before me this 18th day of July 1890. F. David Surrogate.

And afterwards to-wit: on the 18th 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 18th 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 286)

SURROGATE'S COURT--OSWEGO COUNTY.

In the matter of Proving the Last Will and Testament OF

Edward Bartlett deceased.

OSWEGO COUNTY, ss.

Caswell Sherman and Allen Duce 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 Edward Bartlett late of the town of Palermo in the County of Oswego, and State of New York, deceased. And these deponents do further say, that the said Edward Bartlett 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 13 day of February one thousand eight hundred and ninety 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 18 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 Edward Bartlett late of the town of Palermo in the County of Oswego, and the State of New York, deceased, that the said Will was duly executed, and that the said Edward Bartlett 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 18th day of July A. D. 1890. F. David Surrogate.

In the Matter of Proving the Last Will and Testament OF

Edward Bartlett deceased.

BE IT REMEMBERED, That heretofore, to-wit, on the 14th day of June in the year of our Lord, one thousand eight hundred and ninety Mary Bartlett, Executrix named in the LAST WILL AND TESTAMENT OF Edward Bartlett late of the town of Palermo 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 54 Sherman Street in the town of Malone in the said County, on the 15th day of July A. D. 1890 to attend the Probate of said Will,

And afterwards to-wit: on the 15th 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 15th 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 288)