

In the matter of Proving the Last Will and Testament OF

George W. Swilt deceased.

OSWEGO COUNTY, ss.

Henry L. Atkinson and Luke Phillips 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 George W. Swilt late of the City of Oswego in the County of Oswego, and State of New York, deceased. And these deponents do further say, that the said George W. Swilt 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 20th day of July 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.

Subscribed and sworn to before me, this 20th day of November 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 George W. Swilt late of the City of Oswego in the County of Oswego, and the State of New York, deceased, that the said Will was duly executed, and that the said George W. Swilt 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 20th day of November A. D. 1890. F. David Surrogate.

In the Matter of Proving the Last Will and Testament OF

George W. Swilt deceased.

BE IT REMEMBERED, That heretofore, to-wit, on the 20th day of Nov in the year of our Lord, one thousand eight hundred and ninety Etta H. Swilt Executrix named in the LAST WILL AND TESTAMENT of George W. Swilt late of the City of Oswego 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 a special guardian having been appointed to represent the interests of the infant in this matter who appeared in open Court 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, all other interested heirs having waived citation & consented to probate of said Will.

And afterwards to-wit: on the 20th day of Nov 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 20th day of Nov A. D. 1890 and be 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 338

In the matter of Proving the Last Will and Testament OF

Mary Ann Duneau deceased.

OSWEGO COUNTY, ss.

Orin R. Earl and J. Edmundo 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 Mary Ann Duneau late of the town of Sandy Creek in the County of Oswego, and State of New York, deceased. And these deponents do further say, that the said Mary Ann Duneau 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 23rd day of March one thousand eight hundred and eighty one. 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 20th day of Nov 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 Mary Ann Duneau late of the town of Sandy Creek in the County of Oswego, and the State of New York, deceased, that the said Will was duly executed, and that the said Mary Ann Duneau 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 21st day of Nov A. D. 1890. F. David Surrogate.

In the Matter of Proving the Last Will and Testament OF

Mary Ann Duneau deceased.

BE IT REMEMBERED, That heretofore, to-wit, on the 20th day of June in the year of our Lord, one thousand eight hundred and ninety Etta H. Duneau Executrix named in the LAST WILL AND TESTAMENT of Mary Ann Duneau late of the town of Sandy Creek 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 the law office of N. S. Smith in the village of Plattsburgh in the said County, on the 19th day of Sept A. D. 1890 to attend the Probate of said Will.

And afterwards to-wit: on the 21st day of Nov 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 21st day of Nov A. D. 1890 and be 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 339