

In the matter of Proving the Last Will and Testament OF

Harrison Peck deceased.

OSWEGO COUNTY, ss.

I Lyman Bulkley and Clarence Peck being first duly sworn, in open Court, upon their several oaths, each for himself, doth depose and say, that they are subscribing witnesses to the last Will and Testament of Harrison Peck 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 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 25th day of August 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 the 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 15th day of January A. D. 1891 F. David Surrogate.

OSWEGO COUNTY, ss.

It appearing upon the proofs duly taken in respect to the Last Will and Testament of Harrison Peck 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 Harrison Peck 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 January A. D. 1891 F. David Surrogate.

In the Matter of Proving the Last Will and Testament OF

Harrison Peck deceased.

BE IT REMEMBERED, That heretofore, to-wit, on the 26th day of Dec in the year of our Lord, one thousand eight hundred and ninety Louis A. Peck Executry named in the LAST WILL AND TESTAMENT of Harrison Peck 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 Widows heirs at law, and next of kin of the said testator, and their respective residences. There being no infants in this proceeding and said Surrogate did thereupon issue a Citation in due form of law, directed to the Widows 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 Jan A. D. 1891 to attend the Probate of said Will,

And afterwards to-wit: on the 15th day of Jan A. D. 1891 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 Jan A. D. 1891 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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State of New York } Oswego County } ss.

Charles H. David being duly sworn deposes & says that he was well acquainted with Daniel H. Marsh late of the City of Oswego in said County in his lifetime, & he knows the hand writing of said Marsh. Having often seen him write. That the will of Rose Le Plain heretofore attached is in the hand writing of said Daniel H. Marsh & is the signature of the said Rose Le Plain the Testator. That the name of said Marsh at the conclusion of said will, as the same appears as a witness to said will, is the true & genuine signature of said Daniel H. Marsh. That said Marsh departed this life several years ago in the City of Oswego where he had long been a resident, and atty. at law.

Sworn before me, this 18th day of Jan 1891 F. David Surrogate.

Oswego County, ss.

Theodore Le Plain being duly sworn deposes & says that he was well acquainted with Horace Ingraham who was named as one of the witnesses to the will of Rose Le Plain, & said Horace resided in the City of Oswego at the date of said will.

requiring them to appear before said Surrogate at the Court House in the said County, on the 26th day of July A. D. 1891 to attend the Probate of said Will,

And afterwards to-wit: on the 26th day of Jan A. D. 1891 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 26th day of Jan A. D. 1891 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 360

in the... OSW... outli... last W... late of... deces... each... purpo... of the... hand... to the... did t... requi... to sai... State... depol... just... OS... of... and... at t... the... Lor... in... late... ope... the... tes... ar...