

In the name of God Amen: I Joseph Nicholas of the town of Birkland County of Oswego & State of New York of the age of twenty years and unmarried and being of sound mind and memory do hereby certify and declare that my last Will and Testament in manner following is to wit: I do give bequeath and devise to my wife Perenna Nicholas all my real estate lands tenements goods chattels personal property and effects of every name and nature whatsoever to have and to hold the said real estate lands and tenements and personal property and effects unto my wife Perenna Nicholas for and during the term of her natural life in full of power and force and immediately after her decease I do give and bequeath and devise to my said wife Perenna Nicholas after my decease or within eighteen months after the decease of my wife in case she shall survive me the execution of this my last Will and Testament her said wife Perenna Nicholas and appraisers all and in full of any and all debts due and owing to and amount of it and proceeds and profits thereof I do give and bequeath to my daughter Elizabeth the sum of fifty dollars and the balance thereof and remainder of said debts proceeds and profits to be divided between my daughter Elizabeth Perenna Mary Wheelin Collier & Co. Nicholas Water and my sons Henry Nicholas Joseph Nicholas Loren Nicholas and John Nicholas and each of them except that my wife Perenna Nicholas shall receive fifty dollars of said debts proceeds and profits and the said Elizabeth Perenna Mary Wheelin Collier & Co. Henry Nicholas and John for the reasons that the sum of fifty dollars has been paid to my wife Perenna Nicholas and delivered to my son Joseph by me and that my wife Perenna Nicholas is to be the executor of this my last Will and Testament being revoking all former Wills and Testaments by me made and published.

In witness whereof I have hereunto set my hand and seal this 25th day of May in the year of our Lord one thousand eight hundred and sixty four.

Joseph Nicholas

Witness my hand and seal this 25th day of May in the year of our Lord one thousand eight hundred and sixty four.

Joseph Nicholas

SURROGATE'S COURT.

In the matter of proving the last Will and Testament

of Joseph Nicholas DECEASED.

Oswego County, ss. Perenna Nicholas and Ezra P. Pridie 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 Joseph Nicholas late of the town of Birkland in the County of Oswego and State of New York deceased. And these deponents do further say, that the said Joseph Nicholas 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 May one thousand eight hundred and sixty four.

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 the 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 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.

Subscribed and sworn to before me, this 29th day of Dec. A. D. 1864

J. W. Whinn, Surrogate.

Oswego County, ss. It appearing upon the proofs duly taken in respect to the Last Will and Testament of Joseph Nicholas late of the town of Birkland in the County of Oswego and State of New York, deceased, that the said Will was duly executed, and that the said Joseph Nicholas at the time he executed the same, was in all respects competent to devise real estate, and not under restraint, the said last Will and Testament and the proofs and examinations are hereby recorded, signed and certified by me, pursuant to the provisions of the Revised Statutes, this 29th day of Dec. A. D. 1864.

J. W. Whinn, Surrogate.

LAST WILL AND TESTAMENT OF

Gardner Dufford Deceased.

BY ME REMEMBERED, This heretofore, to wit: on the 8th day of November in the year of our Lord one thousand eight hundred and sixty four, before me, Henry C. Nichols, Notary Public in the State of New York, late of the town of Birkland 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 Birkland in the village of Birkland in said County, on the 8th day of January A. D. 1865 to attend the Probate of said Will.

And afterwards to wit: on the 8th day of January A. D. 1865 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 in due and lawful proceedings was taken in said Court afterwards, that the said Surrogate took the oath of said Will and the same was read in open Court and the said Surrogate did thereupon adjudge 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 is as follows, that is to say:

WILL: