I Benjamin Levey of the Town of Lockport County of Niagara and State of New York being of sound mind and memory do make publish and declare this my last Will and Testament in manner following that is to say:

First I give and bequeath to my wife Elizabeth all my estate both real and personal of whatever nature or kind to have and to hold to her and her heirs and assigns forever after paying all my debts just and demands which I may owe or which may be against my estate at the time of my decease including funeral expenses and suitable tombstone.

All for sending and remainder after paying all demands against my estate to be the property of my wife Elizabeth both real and personal.

Also lastly I do hereby nominate and appoint my wife Elizabeth to be the Executrix of this my last Will and Testament hereby revoking all former Wills by me made.

In Witness whereof I have hereunto set my hand and seal this 6th day of February in year of our Lord one thousand Eight hundred and sixty one.

Benjamin Levey L.S.

The above Instrument consisting of half a sheet was at the date thereof signed sealed published and declared by Benjamin Levey as and for his last Will and Testament in presence of us who at his request and in his presence and in presence of each other have subscribed our names as witnesses.

Isa Spencer of Lockport Niagara Co N.Y.
Allen S. Thompson of Lockport Niagara Co N.Y.

SURROGATE'S COURT.

In the matter of proving the last Will and Testament
OF
Benjamin Levey **DECEASED.**

Niagara County, ss.

Isa Spencer and Allen S. Thompson 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 Benjamin Levey late of the Town of Lockport in the County of Niagara and State of New York deceased. And these deponents do further say, that the said Benjamin Levey 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 6th day of February one thousand eight hundred and sixty 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 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,

Isa Spencer
Allen S. Thompson

Subscribed and sworn to before me, this 6th *day of* Dec. A. D. 18 61
Wm. Sherman Surrogate

Cayuga County, ss.

It appearing upon the proofs duly taken in respect to the last Will and Testament of Benjamin Levey late of the Town of Lockport in the County of Niagara and State of New York, deceased, that the said Will was duly executed, and that the said Benjamin Levey 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 6th day of August A. D. 1862

T. W. Wheaton Surrogate.

LAST WILL AND TESTAMENT OF
Benjamin Levey *Deceased.*

BE IT REMEMBERED, That heretofore, to wit: on the 6th day of June in the year of our Lord one thousand eight hundred and sixty two Benjamin Levey Executor named in the LAST WILL AND TESTAMENT of Benjamin Levey late of the Town of Lockport in the County of Niagara deceased, appeared in open Court, before the Surrogate of the County of Niagara 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 his office in the village of Lockport in said County, on the 6th day of June A. D. 1862 to attend the Probate of said Will,

And afterwards to wit: on the 2nd day of June A. D. 18 62 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 said Will _____ such proceedings were thereupon had in said Court afterwards, that the said Surrogate took the proofs of said Will _____ hereinafter set forth, upon this 6th day of June A. D. 18 62, 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: