In the name of God Amen

I Jemima R Sweet of Phoenix in the county of Oswego & State of New York of the age of seventy four years being of sound mind & memory do make publish & declare this my last will & testament in manner following that is to say

First I give & bequeath to my daughter Wealthy Ann all my wearing apparel to be divided between them share & share alike & I hereby give & may be also all my household & furniture including beds & bedding except the bed given me by my mother which I give to my friend Mr Merry & my best bureau which I give to my son Anthony M Sweet in case they survive me if not then divided as herein bothing the care may be to distribute as the rest of my household stuff

Second I give & devise to my children Ellen & Hollister & Jesse Smith & Addison R Sweet & Caroline Fowler & Governor M Sweet & Anthony M Sweet & Mary Ann Sweet & Wealthy Ann Hutchinson & Caroline my sister & the children of Charlotte Sweet deceased the said children of Charlotte Sweet share & share alike & lastly I give & bequeath all the rest & residue of my estate both real & personal to be divided share & share alike & lastly I do hereby appoint Anthony M Sweet sole executor of this my last will & testament hereby revoking all former wills by me made & whereas I now in my possession in trust for my son Van Rensselaer Sweet who is & has been absent since A D 1812 & not heard from during such absence certain money & securities belonging to him together with the rent of one half part of the house & lot now occupied by me to the said Van R Sweet shall not return for evermore to my dear sister I hereby & do direct that my said executor take charge of the property ~~of the property of the said executor take charge of the~~ property of the said Van R Sweet as now held by me at my decease & hold the same together with its increase in such condition that upon the return of the said Van R Sweet or demand of his lawful heirs he or they shall have what belongs to him & in case my said executor other than him before mentioned shall at some future time deem it advisable & best to make distribution of the said property of the said Van R Sweet it is my wish that all who shall receive a share of that estate & deliver proper bonds with sufficient security for the payment of the same with interest thereon in case of the said Van R Sweet or demand of his lawful heirs & lastly it is my desire that after my decease all such articles to have been received by me as gifts or presents from any of my children shall be returned to the donors respectively as mentioned in witness ~~whereof~~ I have hereunto set my hand & seal this sixth day of June in the year of our Lord one thousand eight hundred & sixty six

Jemima R Sweet L.S.

The above instrument consisting of one sheet was at the date thereof signed sealed published & declared by the said Jemima R Sweet as & for her last will & testament in presence of us who at her request in her presence & in the presence of each other have subscribed our names as witnesses thereunto

Sam Merry residing at Phoenix Oswego Co N.Y.

Willet Freeman residing at Phoenix Oswego Co N.Y.

SURROGATE'S COURT.

In the matter of Proving the Last Will and Testament of

Jesse Smith deceased.

Oswego County, ss. Norman Rowe and Philip A Newell 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 Jesse Smith late of the town of Mexhaven in the County of Oswego and State of New York 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 9th day of Feb one thousand eight hundred and seventy two. 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 those 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 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 10th day of March A. D. 1873 } Norman Rowe, P. A. Newell

T. M. Hamm Surrogate.

Oswego County, ss.

It appearing upon the proofs duly taken in respect to the Last Will and Testament of Jesse Smith late of the town of New Haven in the County of Oswego and State of New York, deceased, that the said Will was duly executed, and that the said Jesse Smith 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 provision of the Revised Statutes, this 10th day of March A. D. 1873

T. M. Hamm Surrogate.

LAST WILL AND TESTAMENT OF

Jesse Smith Deceased.

Be it Remembered, That heretofore to wit, on the 1st day of June in the year of our Lord one thousand eight hundred and sixty-three Christopher M Parker Executor named in the Last Will and Testament of Jesse Smith late of the town of New Haven 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 in the village of in said County, on the day of A. D. 18 to attend the Probate of said Will;

And afterwards to wit: on the day of A. D. 18 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 10th day of March A. D. 1873 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: