

as they my said executors and any debtor or creditor or either of them shall agree and which my said executors shall deem most just and proper as to sales and realize the largest surplus after payment of my said just debts and funeral charges & expenses as they can reasonably receive hereby revoking all former wills by me made

In witness whereof I have hereunto set my hand and seal this 27th day of December A.D. 1874

Albert W. Calkins (L.S.)

The above instrument consisting of one sheet was at the date thereof signed sealed and published and declared by the said Albert W. Calkins as and for his last will and testament in presence of us who at his request and in his presence and in the presence of each other have hereto subscribed our names as witnesses thereto

"Note the words" some Porter A. Calkins & my intended lived & the word some sole sales before executors  
 Jno. B. Watson of Pulaski Oswego Co. N.Y.  
 John Calkins of Richland Oswego Co. N.Y.

SURROGATE'S COURT.

In the Matter of Proving the Last Will and Testament

Joseph Barry DECEASED.

Oswego County, ss:

H. M. Barrett and G. H. Boyd both of Hannibal being first duly sworn, in open Court, upon their several corporal oaths, each for himself, do depose and say, that they are subscribing witnesses to the last Will and Testament

late of the Wm of Hannibal in the county of Oswego, and State of New York, deceased. And these deponents do further say that the said Joseph Barry 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 18th day of Sept. one thousand eight hundred and seventy seven. 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 30th day of Jan'y - A. D. 1878

G. H. Boyd  
 H. M. Barrett  
 G. H. Sumner SURROGATE

Oswego County, ss.

It appearing upon the proofs duly taken in respect to the Last Will and Testament of Joseph Barry late of the town of Hannibal in the County of Oswego, and State of New York, deceased, that the said Will was duly executed, and that the said Joseph Barry 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 30th day of Jan'y 1878

G. H. Sumner Surrogate.

LAST WILL AND TESTAMENT OF

Joseph Barry DECEASED.

Be it Remembered, That heretofore, to wit, on the 2nd day of Oct. in the year of our Lord one thousand eight hundred and seventy seven Patrick Barry Executor named in the LAST WILL AND TESTAMENT of Joseph Barry late of the town of Hannibal 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 his office in Hannibal in the county of Oswego on the 6th day of Dec. A. D. 1877 to attend the Probate of said Will. - And at that time application was filed against said probate. - Proceedings were accordingly adjourned to 3rd Jan'y 1878.

And afterwards, to wit: on the 3d day of Jan'y A. D. 1878 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 3d day of Jan'y A. D. 1878 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: