

SURROGATE'S COURT

in writing there was in either case afore- said it is my will that either of my said sons and daughters have full power at their option respectively to sell and dispose of their respective interest in my estate or any part thereof and then cause their respective shares and proportions to be set off and divided among them in severally.

Fourth I hereby appoint my son Schuyler C. Schouck to be sole executor of this my last will and testament with full power to convey by deed any or all my real estate pursuant to the terms of this instrument and I hereby revoke and annul all former wills by me made.

In witness whereof I have hereunto set my hand and seal this 24th day of August A. D. 1877 Wm Schouck (S.S.)

The foregoing instrument consisting of one sheet was executed by William Schouck the testator who subscribed his name thereto in presence and in the presence of each of us and at the same time he declared in our presence and hearing that the same was his last will and testament and requested us and each of us to sign our names thereto as witnesses to the execution thereof and which we have accordingly in the presence of the testator and of each other the day of the date of the said will.

W. J. Townsend residing at Fulton Oswego Co. N.Y. J. E. Bacon residing at Fulton Oswego Co. N.Y.

In the Matter of Proving the Last Will and Testament

Peter Margery DECEASED.

Oswego County, ss: Frederick Brigue and John Pilling being first duly sworn, in open Court, upon their several corporal

oaths, each for himself, doth depose and say, that they are subscribing witnesses to the last Will and Testament of Peter Margery late of the town of Palermo in the county of Oswego, and State of New York, deceased. And these deponents do further say that the said Peter Margery 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 10 day of Oct. 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 10 day of Dec. A. D. 1877. Frederick Brigue, John Pilling, John Pilling

W. M. Skinner SURROGATE. Oswego County, ss.

It appearing upon the proofs duly taken in respect to the Last Will and Testament of Peter Margery late of the town of Palermo in the County of Oswego, and State of New York, deceased, that the said Will was duly executed, and that the said Peter Margery 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 10 day of Dec. 1877.

W. M. Skinner Surrogate.

LAST WILL AND TESTAMENT OF Peter Margery DECEASED.

Be it Remembered, That heretofore, to wit, on the 10 day of Nov. in the year of our Lord one thousand eight hundred and seventy seven Augustus Purcell named in the LAST WILL AND TESTAMENT of Peter Margery late of the town of Palermo 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 the village of Mexico in said county, on the 10 day of Dec. A. D. 1877 to attend the Probate of said Will.

And afterwards, to wit: on the 10 day of Dec. A. D., 1877 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 10 day of Dec. A. D. 1877 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: