

SURROGATE'S COURT.

In the Matter of Proving the Last Will and Testament

Charles L. Landon DECEASED.

Oswego County, ss:

Henry D. Baker and J. D. Mc Rae

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 paper writing here offered as the last Will and Testament

late of the City of Oswego in the county of Oswego, and State of New York, deceased. And these deponents do further say that the said Charles L. Landon 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 28th day of December one thousand eight hundred and twenty 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, such 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 1st day of March A. D. 1878 J. H. Skinner

SURROGATE

Oswego County, ss.

It appearing upon the proofs duly taken in respect to the Last Will and Testament of Charles L. Landon late of the City of Oswego in the County of Oswego, and State of New York, deceased, that the said Will was duly executed, and that the said Charles L. Landon 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 reported, signed and certified by me pursuant to the provisions of the Revised Statutes, this 7th day of March 1878 J. H. Skinner Surrogate.

LAST WILL AND TESTAMENT OF

DECEASED.

Be it Remembered, That heretofore, to wit, on the 1st day of January in the year of our Lord one thousand eight hundred and twenty eight Antonio Desautels, the Executor named in the LAST WILL AND TESTAMENT of Charles L. Landon late of the City of Oswego 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 City of Oswego in said county, on the 7th day of March A. D. 1878 to attend the Probate of said Will

And afterwards, to wit: on the 7th day of March 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 7th day of March 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:

In the name of God Amen I Michael Mahoney of the City of Oswego, County of Oswego and State of New York being of sound mind and memory and considering the uncertainty of this frail and transitory life do therefore make ordain publish and declare this to be my last will and testament that is to say:

First. After all my lawful debts are paid and discharged I desire that the funeral expenses of Michael Mahoney Jr my now deceased be paid from my estate. I then desire that my own funeral expenses shall be paid - but I expressly request and it is my will that I shall be buried in a plain pine coffin without a breastplate and without bundle and the funeral to be conducted without useless cost and display. It is also my will that after my death eight eight masses shall be said for the repose of my soul - the expense thereof to be paid from my estate - And I solemnly enjoin upon my executors the faithful execution of the said arrangements for my burial & for the said masses. I give and bequeath & devise unto my beloved wife Bridget Mahoney the use rents issues and profits of my house & lot in the fifth ward of the city of Oswego for and during the period for which she shall remain my widow - Also the use rents issues & profits of all my personal property of every kind and nature to be enjoyed by her during the period for which she shall remain my widow. And upon the marriage of my said wife after my death or upon her death all of said property real and personal I give devise & bequeath unto my beloved son Timothy Mahoney. It is my will that if my son Timothy Mahoney shall die leaving no wife and leaving no children that then all of said real & personal property that then shall be equally divided between my beloved daughters Hannah McCarty Bridget Mahoney and Ellen Mahoney - said Timothy Mahoney to have only the use rents issues & profits of all my of said real and personal property - if he shall die leaving no wife and no children leaving no children otherwise my said son to have the absolutely indefeasible title to all of said property

It is particularly my will that the sum of ten dollars shall be paid to Patrick Driscoll & the sum of three dollars shall be paid to Richard Driscoll if he shall demand the same they bring honest & lawful debts. Likewise I make constitute & appoint Timothy Mahoney & Charles McCarty both of the city of Oswego N.Y. to be executors of this my last Will & Testament hereby appointing all former wills by me made. In witness whereof I have hereunto subscribed my name and affixed my seal this 28th day of December in the year of our Lord 1876 Michael Mahoney

The above written instrument was subscribed by the said (see page 60)