

SURROGATE'S COURT.

In the name of God Amen
 I Margaret J McWhorter of the City and County of Oswego and State of New York Widow do make and publish this my last Will and Testament hereby revoking all former Wills and Testaments I make I give devise and bequeath to my two sons John B and George B McWhorter all my estate both Real and Personal share and share alike except one hundred dollars which I give to my grand son Alexander in memory of his Grand father and one hundred dollars in memory of my self
 I appoint my said sons John & George Executors of this my last Will and Testament
 In witness whereof I have hereunto set my hand and seal this twentieth day of February in the year of our Lord 1871

Margaret J McWhorter [S]

Signed sealed published and declared by the said Margaret J McWhorter as and for her last Will and Testament in presence of us who in presence of her and in the presence of each other and at her request have hereunto subscribed our names as witnesses and our places of abode
 Charles N Baker City of Oswego State of New York
 John B Johnson City of Oswego State of New York

In the Matter of Proving the Last Will and Testament

Horatio Beale DECEASED.

Oswego County, ss: H. S. Cole and Maggie Brockway

being first duly sworn, in open Court, upon their several corporate oaths, each for himself, doth depose and say, that they are subscribing witnesses to the

last Will and Testament of the 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 Horatio Beale 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 5th day of Nov. one thousand eight hundred and 77

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 the 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 31st day of Dec. A. D. 1877
 H. S. Cole
 Maggie Brockway
 SURROGATE

Oswego County, ss.

It appearing upon the proofs duly taken in respect to the Last Will and Testament of Horatio Beale 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 Horatio Beale 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 31st day of Dec 1877

Surrogate.

LAST WILL AND TESTAMENT OF

Horatio Beale DECEASED.

Be it Remembered, That heretofore, to wit, on the 5th day of December in the year of our Lord one thousand eight hundred and 77 Horatio Beale one of the Executors named in the LAST WILL AND TESTAMENT of Horatio Beale 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 each 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 the office in the village of Mexico in said county, on the 31st day of December A. D. 1877 to attend the Probate of said Will

And afterwards, to wit: on the 31st day of December 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 31st day of December 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: