

SURROGATE'S COURT.

In the name of God, Amen: I Aaron Fish of the Village of Bolton County of Oswego and State of New York being of sound mind and memory and of the age of seventy nine years do make, publish and declare this my last will and Testament in manner following that is to say:

First: I give and bequeath to my daughter Eliza Fish as much of the interest which may from time be received from my personal estate as in the opinion of my Executors hereinafter named as shall or may be required for her support as long as she shall live the same to be paid out and expended by them or under their direction from time to time as they shall deem most for her interest and comfort

Second: I give and devise to my said daughter Eliza Fish the use of all my real estate for and during the full and entire of her natural life subject however to the following conditions viz: my Executors hereinafter named are to see that the rents thereof & from such rents to pay all ordinary repairs insurance and taxes thereon & to pay the balance thereof to my said daughter as in their judgment she shall require the same for her care and support in sickness or in health and at her decease shall pay therefrom her funeral expenses; and in case my said Executors shall at any time deem it most for the interest of my said daughter my said estate to dispose of any or all of my real estate then they are hereby authorized and directed to sell and dispose of the same and the avails therefrom in such manner that the interest derived therefrom may be received & paid to my said daughter Eliza during her natural life or they from time to time shall think her wants require and shall invest any surplus of interest money during her life unless she shall require the same in their judgment in which case it is to be paid to or for her

Third: I give and devise all the remainder of my real estate and personal estate to my heirs at law, no part of it to be paid to them or held or controlled by them until after the decease of my said daughter Eliza, but after that event to be distributed to them according to the laws of the State of New York with respect to property of a person who should die intestate

I hereby nominate & name P. Fish and Lucy Ann Johnson and Executors of this my last Will and Testament and hereby make all former Wills by me made. In witness whereof I have hereunto set my hand & seal this 26 day of August 1878. Aaron Fish (See p. 608)

In the Matter of Proving the Last Will and Testament

John Jenkinson DECEASED.

Oswego County, ss: John J Davis and Betty Davis being first duly sworn, in open Court, upon their several oaths, each for himself, doth depose and say, that they are subscribing witnesses to the last Will and Testament of John Jenkinson

late of the town of Hastings in the County of Oswego, and State of New York, deceased. And these deponents do further say that the said John Jenkinson 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 20 day of March one thousand eight hundred and sixty three

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 & all of said deponents say that said George H Davis is dead, but they each of them are well acquainted with the handwriting of said John Jenkinson & know his signature to said will is genuine & said Betty Davis subscribed and sworn to before me, this day of April A. D. 1878. John H Davis & Mrs B Parkhurst Betty Davis

It appearing upon the proofs duly taken in respect to the Last Will and Testament of John Jenkinson late of the town of Hastings in the County of Oswego, and State of New York, deceased, that the said Will was duly executed, and that the said John Jenkinson 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 5th day of April 1878. J. M. Skinner Surrogate.

LAST WILL AND TESTAMENT OF

John Jenkinson DECEASED.

Be it Remembered, That heretofore, to wit, on the eighth day of March in the year of our Lord one thousand eight hundred and seventy eight John H Jenkinson Executor named in the LAST WILL AND TESTAMENT of John Jenkinson late of the town of Hastings 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 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 in the village of Oswego in said County, on the day of 1878 to attend the Probate of said Will.

And afterwards, to wit: on the 5th day of April 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 5th day of April 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: