

SURROGATE'S COURT.

In the name of God Amen: I Michael Butler of the City and 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 hereby make certain public and declare this to be my last Will and Testament that is to say First after all my lawfull debts are paid and discharged I give and bequeath to my wife Mary Butler the house and lot on Erie street lot fronting 40 feet front on Erie street and running to Niagara street two hundred and thirty five feet for and behoof during her natural life and at her death the same to go to John Butler my son Second I give my daughter Catharine Harris the house and lot adjoining the house of the first bequest being forty feet front on Erie street and running through to Niagara street two hundred and thirty five feet Third I do give Mary Mahanna my daughter wife of Thomas Mahanna the house and lot on Erie street adjoining the house of Catharine Harris on the east being forty feet front on Erie street and running back to Niagara street two hundred and thirty five feet also one hundred dollars in cash to the said Mary Mahanna Fourth Elizabeth Dittus to have one hundred dollars from the sale of a lot of land situated on Barry street also a lot of land on Barry street in addition to the hundred dollars Fifth I do give Margaret McAllister one hundred dollars from the sale of the lot of land on Barry street Julia Ashley to have lot on Erie street east end and adjoining the house of Mary Mahanna forty feet front on Erie street running back to Niagara street two hundred and thirty five feet I also bequeath to my wife Mary Butler the house and lot in which I now live on the north side of Erie street to go bounded on the west by Michael Mahanna property at the death of said Mary Butler this bequest to go to my son John Butler to the said John to pay all expenses of the said Mary funeral and burial All of my personal property to my wife Mary Butler while she lives and then to my son John Butler to make constitute and appoint David Sullivan and John Donovan executors of this my last Will and Testament hereby revoking all former Wills by me made I also give to my wife Mary Butler all balances on the sale of the lot in which Mrs Margaret McAllister now lives to aid in support of her as widow I have hereunto subscribed my name and affixed my seal the ninth day of April in the year of our Lord one thousand eight hundred and twenty eight Michael Butler

The above instrument was subscribed by the said Michael Butler in our presence and acknowledged by him to each of us and he at the same time declared the above instrument to be his last Will and Testament and we at his request have signed our names as witnesses both in his presence and in the presence of each other and written opposite our names our respective places of residence John Ruff City of Oswego William D. Shannon Oswego City D H Blair witness to mark of Shannon

In the Matter of Proving the Last Will and Testament of Henry S Conde DECEASED.

Oswego County, ss: Friedrich B Lathrop and Helen or Lathrop and Martin D Smith 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 the City of Oswego in the county of Oswego, and State of New York, deceased. And these deponents do further say that the said Henry S Conde 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 21 day of June one thousand eight hundred and twenty eight 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 2 day of May A. D. 1878 J. W. Skinner SURROGATE.

Oswego County, ss: It appearing upon the proofs duly taken in respect to the Last Will and Testament of Henry S Conde 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 Henry S Conde 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 2 day of May 1878 J. W. Skinner Surrogate.

LAST WILL AND TESTAMENT OF Henry S Conde DECEASED.

As it is remembered, That heretofore, to wit, on the 2 day of May in the year of our Lord one thousand eight hundred and 78 Henry S Conde deceased, appeared in the LAST WILL AND TESTAMENT of Henry S Conde 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 it appeared that all heirs and next of kin in open Court this 2 day of May, 1878 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, residing at their respective places of residence requiring them to appear before said Surrogate at the village of in said county, on the day of A. D. 1878 to attend the Probate of said Will

And afterwards, to wit: on the day of 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 each 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 day of May 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: