

SURROGATE'S COURT, OSWEGO COUNTY.

In the Matter of Proving the Last Will and Testament
OF

OSWEGO COUNTY, N. Y.

William D. Malcolm Deceased.

Robert Black of Oswego, N. Y. and John H. Mills of Cortland, N. Y. 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 William D. Malcolm 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 Wm D. Malcolm 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 6th day of Dec one thousand eight hundred and 85. 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 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 6th day of April A. D. 1893. J. David Surrogate.

OSWEGO COUNTY, N. Y.

It appearing upon the proofs duly taken in respect to the Last Will and Testament of Wm D. Malcolm late of the City of Oswego in the County of Oswego, and the State of New York, deceased, that the said Will was duly executed, and that the said Wm D. Malcolm at the time he executed the same, was in all respects competent to devise real estate, and not under restraint, the last Will and Testament and the proofs and examinations are hereby recorded, signed and certified by me, pursuant to the provision of the Revised Statutes, this 6th day of April A. D. 1893. Surrogate.

In the Matter of Proving the Last Will and Testament
OF

Wm D. Malcolm Deceased.

BE IT REMEMBERED, That heretofore, to wit, on the 17th day of Feb. in the year of our Lord one thousand eight hundred and ninety three Wm D. Malcolm Jr. Executor named in the LAST WILL AND TESTAMENT OF Wm D. Malcolm 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 the Court House in the City of Oswego in the said County, on the 6th day of April A. D. 1893 to attend the Probate of said Will.

And afterwards, to wit, on the 6th day of April A. D. 1893, 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 6th day of April A. D. 1893, 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: see page 327

SURROGATE'S COURT, OSWEGO COUNTY.

In the Matter of Proving the Last Will and Testament
OF

OSWEGO COUNTY, N. Y.

Orson B. Marvin Deceased.

Charles H. ... and ... 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 Orson B. Marvin late of the Town of ... in the County of Oswego, and State of New York, deceased. And these deponents do further say, that the said Orson B. Marvin 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 1st day of June one thousand eight hundred and ninety two. 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 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 February A. D. 1893. J. David Surrogate.

OSWEGO COUNTY, N. Y.

It appearing upon the proofs duly taken in respect to the Last Will and Testament of Orson B. Marvin late of the Town of ... in the County of Oswego, and the State of New York, deceased, that the said Will was duly executed, and that the said Orson B. Marvin at the time he executed the same, was in all respects competent to devise real estate, and not under restraint, the last Will and Testament and the proofs and examinations are hereby recorded, signed and certified by me, pursuant to the provision of the Revised Statutes, this 1st day of Feb. A. D. 1893. Surrogate.

In the Matter of Proving the Last Will and Testament
OF

Orson B. Marvin Deceased.

BE IT REMEMBERED, That heretofore, to wit, on the 28th day of Nov. in the year of our Lord one thousand eight hundred and ninety three David L. Nichols Executor named in the LAST WILL AND TESTAMENT OF Orson B. Marvin late of the Town of ... 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 Court House in the City of Oswego in the said County, on the 15th day of Dec. A. D. 1892 to attend the Probate of said Will.

And afterwards, to wit, on the 1st day of Feb. A. D. 1893, 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 1st day of Feb. A. D. 1893, 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: see page 328