

SURROGATE'S COURT, OSWEGO COUNTY.

In the Matter of Proving the Last Will and Testament  
OF

OSWEGO COUNTY, N. Y.

*Alvigo H. Barnes* Deceased.  
*Ephraim M. Andrews* of Oswego, and *Louise C. P. Andrews* of Oswego, being first duly sworn, in open Court, upon their several corporeal oaths, each for himself doth depose and say, that they are subscribing witnesses to the last Will and Testament of *Alvigo H. Barnes* late of the *City* of *Oswego* in the County of Oswego, and State of New York, deceased. And those deponents do further say, that the said *Alvigo H. Barnes* 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 *October* one thousand eight hundred and *82*. 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 *18th* day of *May*, A. D. 1893.  
*F. David* Surrogate.

OSWEGO COUNTY, N. Y.  
It appearing upon the proofs duly taken in respect to the Last Will and Testament of *Alvigo H. Barnes* 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 *Alvigo H. Barnes* 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 *18th* day of *May*, A. D. 1893.  
Surrogate.

In the Matter of Proving the Last Will and Testament  
OF

*Alvigo H. Barnes* Deceased.  
BE IT REMEMBERED, That heretofore, to wit, on the *18th* day of *May* in the year of our Lord one thousand eight hundred and ninety *three* *Alvigo H. Barnes* Execut named in the LAST WILL AND TESTAMENT OF *Alvigo H. Barnes* 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 *not all interested parties herein being of full age having waived citation & consented* and the 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 in the of in the said County, on the day of A. D. 1893 to attend the Probate of said Will.

And afterwards, to wit, on the *18th* day of *May*, 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 *18th* day of *May*, 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 356

In the Matter of

State of New York

Oswego city and County, ss:

Louis C. Howe be said city, being duly sworn, says, that he was well acquainted with Newton W. Nutting in his life time and was familiar with his hand writing; that deponent has examined the n.w.c. "N.W. Nutting, at the end of what purports to be the Last Will and Testament of Samuel Dumbleton, deceased, and which bears date on the 17th. day of March, 1866, and deponent verily believes that the name of N. W. Nutting, one of the witnesses to the said will, is the signature of the said "N. W. Nutting"

Sworn to before me this *18th* day of *May*, 1893.  
*Louis C. Howe*  
*F. David* Surrogate

aforesaid, declare the same to be his last will and testament; and ~~the~~ deponent did thereupon subscribe ~~his own respective name~~ at the end of said instrument, as attesting witness to the execution thereof, ~~and~~ 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 the 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 deponent believe he was of sound mind, memory and understanding, and not under any restraint, and, as deponent 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 *18th* day of *May*, A. D. 1893.  
*Louis W. Baker*  
*F. David* Surrogate

OSWEGO COUNTY

It appearing of Samuel and the State of N. at the time he executed the provision of the

In the Matter of

Samuel

BE IT REMEMBERED Lord one thousand in the LAST WILL late of the open Court, before

the said Surrogate, testator, and their heirs

and said Surrogate

in the to attend the Prob

And afterwards, to wit, on the *18th* day of *May*, 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 *18th* day of *May*, 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 355