

SURROGATE'S COURT.

In the matter of Proving the last Will and Testament

of David W. Balanus

DECEASED.

Craig County, ss. O. Oliver & Hummer  
of the Village of Fulton and  
Sidney J. McNeill of Wm. & Lind place  
being first duly sworn, in open Court, upon their several oaths, each for him-  
self, did depose and say, that they are subscribing witnesses to the

last Will and Testament  
of David W. Balanus late  
of the town of Walnut in the County of Craig  
and State of New York deceased. And these deponents do further  
say, that the said David W. Balanus 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 5<sup>th</sup> day of May one thousand eight  
hundred and Fifty Seven.

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 deponent, 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 each 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.