

SURROGATE'S COURT.

In the Matter of Proving the Last Will and Testament of

*Anna Gardner*

DECEASED

*Coswego* County, ss.

*Francis Davidson and Andrew P. Hamill* and  
citizens of *Phoenix* N.Y.

being first duly sworn, in open Court,  
upon their usual, corporal oaths, each for himself doth depose and say, that they are subscribing witnesses to the  
last Will and Testament

of *James Caldwell* late of the Village of  
*Phoenix* in the County of *Coswego* and State of *New York*

deceased. And these deponents do further say, that the said  
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 appears to be  
the last Will and Testament  
of the said deceased, and which bears date  
on the *11<sup>th</sup>* day of *January* one thousand eight hundred and *87* A.D.

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 truly 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 this said deceased.