

SURROGATE'S COURT.

In the Matter of Proving the Last Will and Testament of

Charles B. Rathbun

DECEASED

Creech County, ss.

Edmund Hawks of the City of Oswego

being first duly sworn, in open Court, upon his solemn oath, and says that there are subscribing witnesses to the last Will and Testament

of Charles B. Rathbun late of the Town of ... of ... and State of New York

deceased. And the deponent do further say that the said deceased did, in the presence of ... subscribe his name at the end of the instrument in writing; which is now here shown to the deponent, and which appears to be the last Will and Testament of the said deceased, and which bears date on the ... day of ... one thousand eight hundred and ...

That the said deceased did, at the time of subscribing to the said instrument, as aforesaid, declare the same to be his last Will and Testament; and the deponent did thereupon subscribe the name of the said deceased, and in his presence, and in the presence of ... 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 deponent believes he was of sound mind, memory, and understanding, and not under any restraint, and as deponent verily believes, in all respects competent to devise real estate; that ... saw the other ... sign his name to said instrument, in the presence of the said deceased. That deponent saw his father, ... sign said instrument, at the request of the Testator. The said Edmund Hawks Senior is now dead.