

In a Surrogate's Court, Held in and for the County of Chenango, before
Dwight H. Clarke County Judge, acting as Surrogate of said
County, at his office in the town of Norwich, in said County,
on the 25th day of August, A. D. 1857.

In the Matter of Proving the Last Will and Testament of
Jesse Johnson
DECEASED.

On the day, and at the place aforesaid, Susannah Johnson the

Executrix named in the last Will and Testament of the said Jesse Johnson
deceased, appeared before the said County Judge,
acting as Surrogate, and offered the said last Will and Testament for proof and probate,
as a Will of Real and Personal Estate, and no one appeared to oppose such proof and
probate. Thereupon the said Executrix produced satisfactory proof, by affidavit, of the
due service of the Citation heretofore issued in this matter, requiring the ~~return~~ heirs at law
and next of kin to the said deceased, to attend such proof and probate on this day, as follows:
personal service on Erastus Johnson, Phylinda Hall & Mary Beech
Patty Fish, Alvin Johnson on the 15th day of August 1857 and
personal service on Anna Johnson on the 17th day of August 1857 and
on Polly Hicks by leaving a copy with her husband at his residence
all within the County of Chenango and S. S. Merritt special guardian
of said Polly Hicks appeared in person

And thereupon the said Executrix offered the following proof of the execution of the
said last Will and Testament, by the subscribing witnesses thereto, to wit:

Chenango County, ss.

Asher McRay of the town
of Otselic in said County, being duly sworn and examined

before Dwight H. Clarke County Judge of said County,
acting as Surrogate thereof, doth depose and say, that he was well acquainted with
Jesse Johnson now deceased, that he was present as a witness,
and did see the said Jesse Johnson ^{make the marks} ~~subscribe his name~~ at the
end of the instrument in writing, now produced and shown to this deponent, bearing date
the 5th day of May, in the year
one thousand eight hundred and fifty six, purporting to be the last
Will and Testament of the said Jesse Johnson, deceased; that
the said Jesse Johnson, at the time of making such subscription,
declared the said instrument to be his last Will and Testament, and requested this
deponent to sign his name as a witness thereto; that thereupon this deponent accordingly did
sign his name as a witness, at the end of the said instrument. This deponent further says,
that the said Jesse Johnson, at the time ~~he~~ so executed the said
instrument, was a citizen of the United States, of full age, of sound mind and memory,
in all respects competent to devise real estate, and not under any restraint; and that
this deponent saw Charles B. Thors, the other subscribing witness
to said instrument, sign the said instrument at the end thereof, as a witness, in the presence
of the said Jesse Johnson, and at his request.

Subscribed and Sworn to before me, the
25th day of August 1857

A. M. Ray

Dwight H. Clarke
Surrogate

Samuel B. Thorpe of the town of Lebanon in the County of Warren being duly sworn and examined before Dwight H. Clarke County Judge of said County, acting as Surrogate thereof, with depute and say, that he was well acquainted with ~~James Johnson~~ ^{James Johnson} now deceased, that he was present at a witness, and did see the said ~~James Johnson~~ ^{James Johnson} at the end of the instrument in writing, now produced and shown to this deponent, bearing date the 5th day of May, in the year one thousand eight hundred and fifty six, purporting to be the last Will and Testament of the said ~~James Johnson~~ ^{James Johnson}, deceased; that the said ~~James Johnson~~ ^{James Johnson}, at the time of making such subscription, declared the said instrument to be his last Will and Testament, and requested this deponent to sign his name as a witness thereto; that thereupon this deponent accordingly did sign his name as a witness, at the end of the said instrument. This deponent further says, that the said ~~James Johnson~~ ^{James Johnson}, at the time he so executed the said instrument, was a citizen of the United States, of full age, of sound mind and memory, in all respects competent to devise real estate, and not under any restraint, and that this deponent saw ~~Asher M. Ray~~ ^{Asher M. Ray}, the other subscribing witness to said instrument, sign the said instrument at the end thereof, as a witness, in the presence of the said ~~James Johnson~~ ^{James Johnson}, and at his request.

Subscribed and Sworn to before me, the
 25th day of August 1857
 Samuel B. Thorpe
 Dwight H. Clarke Surrogate

The foregoing proofs and examinations were taken by and before me, the said County Judge, acting as Surrogate as aforesaid, at ~~my office~~ ^{the Court House} in the town of Norwich in the County of Chenango aforesaid, on the 25th day of August A. D. 1857, and the depositions of ~~Asher M. Ray and Samuel B. Thorpe~~ ^{Asher M. Ray and Samuel B. Thorpe}, the only subscribing witnesses to the said instruments, were by them respectively subscribed, after having been carefully read over to them; and I, the said County Judge, acting as Surrogate as aforesaid, being satisfied upon the proof taken before me as aforesaid, that lawful service of the Citation heretofore issued in this matter, to attend the proving of the said last Will and Testament, before me, on this day, has been made on ~~the widow~~ ^{the widow} and all the heirs at law and next of kin to the said ~~James Johnson~~ ^{James Johnson}, deceased; that the said Will was duly executed; that the said testator, at the time of executing the same, was in all respects competent to devise real estate and personal estate, and not under restraint. And I, the said County Judge, acting as Surrogate as aforesaid, being satisfied of the genuineness and validity of such Will, do adjudge and decree, by virtue of the power and authority in me vested by law, that the said last Will and Testament was duly executed, and is a valid Will; and do further order and decree, that the said last Will and Testament, and the proofs and examinations taken in respect to the same, be recorded; and that the said last Will and Testament be, and the same hereby is, admitted to probate, and established as a Will of Real and Personal Estate.

Dwight H. Clarke Surrogate

In the name of God Amen

I Jerod Johnson of the town of Pharsula in the County of Chenango and state of New York being of sound mind and memory (blessed be almighty God for the same) do make and publish this my last will and testament

I give and bequeath to my beloved wife Susannah all my household furniture and all the rest of my personal property. I also give devise and bequeath to my beloved wife Susannah all of my real estate as long as she shall remain unmarried and my heirs: but on her decease or marriage what remains of my real estate after paying the mortgage given to Franklin Hagen and forty dollars to my daughter Ann C. Hagen and devise to my children and their heirs respectively to be divided in equal shares between them I nominate and appoint my beloved wife Susannah to be the sole executrix of this my last will and testament

In witness whereof I hereunto set my hand and seal and publish and decree this to be my last will and testament in presence of the witnesses named below this fifth day of May A.D. 1856

Witness
Jerod Johnson
A. M. Ray
marks

Signed sealed declared and published by the said Jerod Johnson as and for his last will and testament in presence of us who at his request and in his presence and in presence of each other have subscribed our names as witnesses
Therunto

A. M. Ray residing at Otsego in the County of Chenango N.Y.
Samuel R. Hoop residing at Georgetown Madison County,

Chenango County do hereby certify that the foregoing is a correct record of the last will and testament of Jerod Johnson deceased and of the proof thereof and that said will and proof have been recorded this 25th day of August A.D. 1857

Dwight H. Clarke
Deputy