

above-entitled matter, and examined on behalf of the applicant to prove said will, says: I was acquainted with James Smith now deceased. The subscription of the name of said decedent to the instrument now shown to me and offered for probate as his last will and testament, and bearing date the 28th day of May in the year one thousand eight hundred and seventy-four was made by the decedent at the City of New York, in the presence of myself and Lewis A. Davis and Charles J. Fernald the other subscribing witnesses. At the time of such subscription the said decedent declared the said instrument so subscribed by him to be his last will and testament; and I thereupon signed my name as a witness at the end of said instrument, at the request of said decedent, and in his presence. The said decedent at the time of so executing said instrument, was upwards of the age of twenty-one years, and in my opinion of sound mind, memory and understanding, not under any restraint or in any respect incompetent to devise real estate. I also saw Lewis A. Davis and Charles J. Fernald, the other witnesses, sign their names ^{attesting} as witnesses at the end of said will, and know that they did so at the request of said decedent and in his presence. I knew said decedent for about twenty-four years before his death.

sworn this 3d. day of October 1874 before me.
 Peter O. Burtzell
 Assistant to the Surrogate,
 New York County.

Albert C. Bonshin.

Surrogate's Court,
 County of New York.
 In the matter of proving the last will and testament of James Smith deceased, as a Will of real and personal property.

County and State of New York, ss:
 Lewis A. Davis of New York City of No. 54 West 35th Street, being duly sworn as a witness in the above-entitled matter, and examined on behalf of the applicant to prove said will, says: I was acquainted with James Smith now deceased. The subscription of the name of said decedent to the instrument now shown to me and offered for probate as his last will and testament, and bearing date the 28th day of May in the year one thousand eight hundred and seventy-four was made by the decedent at the City of New York, in the presence of myself and Albert C. Bonshin and Charles J. Fernald the other subscribing witnesses. At the time of such subscription the said decedent declared the said instrument so subscribed by him to be his last will and testament; and I thereupon signed my name as a witness at the end of said instrument, at the request of said decedent, and in his presence. The said decedent

at the time of so executing said instrument, was upwards of the age of twenty-one years, and in my opinion of sound mind, memory and understanding, not under any restraint or in any respect incompetent to devise real estate. I also saw said Albert C. Bonshin and Charles J. Fernald, the other attesting witness, sign ~~h-~~ name as witness - at the end of said will, and know that they did so at the request of said decedent and in his presence. I knew said decedent for about thirty years before his death.

sworn this 3d. day of October 1874 before me.
 David H. Gillette
 Assistant to the Surrogate,
 New York County.

Lewis A. Davis.

Surrogate's Court,
 County of New York.
 In the matter of proving the last will and testament of James Smith deceased, as a Will of real and personal property.

County and State of New York, ss:
 Charles J. Fernald of No. 24 West 30th Street of New York City, being duly sworn as a witness in the above-entitled matter, and examined on behalf of the applicant to prove said will, says: I was acquainted with James Smith now deceased. The subscription of the name of said decedent to the instrument now shown to me and offered for probate as his last will and testament, and bearing date the 28th day of May in the year one thousand eight hundred and seventy-four was made by the decedent at the City of New York, in the presence of myself and Albert C. Bonshin and Lewis A. Davis the other subscribing witnesses. At the time of such subscription the said decedent declared the said instrument so subscribed by him to be his last will and testament; and I thereupon signed my name as a witness at the end of said instrument, at the request of said decedent, and in his presence. The said decedent at the time of so executing said instrument, was upwards of the age of twenty-one years, and in my opinion of sound mind, memory and understanding, not under any restraint or in any respect incompetent to devise real estate. I also saw said Albert C. Bonshin and Lewis A. Davis, the other attesting witness, sign ~~h-~~ name - as witness - at the end of said will, and know that they did so at the request of said decedent and in his presence. I knew said decedent for about four years before his death.

sworn this 3d. day of October 1874 before me.
 David H. Gillette
 Assistant to the Surrogate,
 New York County.