

This is the last will and testament of me, Christian Pruitte, of the town of Sugarwell, in the county of Oxford and Province of Ontario, Widower.

- 1st I hereby revoke all former wills and Testaments made by me.
- 2^d I direct my executors hereinafter named to pay all of my just debts, funeral and testamentary expenses out of my estate.
- 3^d Having given my son William A Pruitte, a lease for his life of my Georgia lands, consisting of about 20,000 acres, with the mills and all buildings and erections thereon and connected therewith, and all the personal property belonging thereto, on to me, in said State. I give said land, personal property in said State of Georgia, on the death of my said son William, to my executors hereinafter named, viz: George Pruitte and Alexander Pruitte, in fee simple, or absolutely, according to the nature thereof, in trust for the following purposes: that is to say, to sell and convert into cash or negotiable securities my said Georgia lands and personal property as soon after the death of my said son, as can be done, having due regard to the interests of my estate, and to collect and get in all accounts and debts connected with said property and mills, and out of the proceeds of such sale or sales and debts and accounts, to pay all debts upon or connected with said lands and mills, and divide the remainder of the proceeds equally among my surviving children.
- 4th All other real estate of which I die seized or entitled to, I give to my said executors in fee simple, in trust, to sell the same as soon as they can, after my death, and divide the proceeds of such sale or sales, equally among my children who are alive at the time of my death.
- 5th I direct my executors hereinafter named, to divide my wardrobe, jewelry, silver plate, linen and bedding, pictures and parlor ornaments equally among my three daughters, Janet Luxey, Elizabeth Moore, and Anne Cries, or the survivors or survivor of them, at the time of my death.
- 6th I direct my executors to sell my household furniture

also my farm, range, phaeton, harness and robes, and divide the proceeds equally among my children, who may be alive at my death.

7th I give and bequeath to my son William A Prentice, my book case and all my books.

8th I give and bequeath to my son, George Prentice, my husbands portrait and what may be unpaid at my death, on the mortgage on the Dereham farm now owned by him.

9th All other personal estate I may die possessed of or entitled to not herein given or bequeathed, I direct my executor to divide equally among my children, who are alive on my death.

10th I appoint as the executors and trustees of this my will, my sons, George Prentice, of the Township of Dereham, in the County of Oxford, Ontario, Farmer, and Alexander Prentice, of the City of Rochester, in the State of New York, in the United States of America.

Signed, sealed, published and declared by the said Christina Prentice, as and for her last will and Testament in our presence, both present together on the day and year above mentioned, and at her request we have subscribed our names as witnesses hereto in her presence and in the presence of each other Robert Vince Shaw.
M Walsh.

Dated at Ingersoll, this
21st day of January A.D. 1889.
Christina Prentice (L.S.)

Codicil.

This as a Codicil to my within will, dated this 21st day of February 1889. My son William A Prentice, having died since the execution of the within will, I now give the books and book case bequeathed to him, to my son Alexander Prentice.

Witness my

Hand

Christina Prentice. L.S.

I, Christina Prentice, the testatrix named in the foregoing will and Codicil, having made my last will and testament, bearing date the 24th day of January 1889, and a Codicil thereto, dated February 21st 1889, do hereby make and publish this my Codicil thereto, that is to say:

1st I hereby re-vance the gift of the mortgage to my son Thom Prentice, mentioned in the 8th paragraph, clause of my said will, and direct that said mortgage shall be paid by said Mortgagor to my executors and the proceeds thereof shall be equally divided by my executors among my children now surviving.

2^d I hereby re-affirm and re-publish my said last will and said first Codicil as the same are modified by this Codicil. Witness my hand and seal at Rochester, N.Y. this 22nd day of February 1889.

Christina Prentice, L.S.

In presence of

Sardius D Bently, of Rochester N. Y.

Jos. Siddons.

Robert B Wickers

Signed, sealed, published and declared by the said Christina Prentice, as and for her last Will and testament and Codicil thereto, in our presence, all three present together on the day and year above written, and at her request we have subscribed our names as witnesses here to in her presence, and in the presence of each other.

Sardius D Bently, residing at Rochester N. Y.

Jos. Siddons, residing at Rochester N. Y.

R B Wickers, residing at Rochester N. Y.

State of New York,

County of Monroe. } 33

Surrogates Office

I hereby certify, that the annexed instrument, being the last will and testament and codicils of Christina Prentice, late of the City of Rochester in the County of Monroe and State of New York, has, upon due proof, been this day admitted to probate by the Surrogate Court of said county of Monroe, as will and codicils valid to said real and personal property, and was read and approved by the court.

in the which said last Will and testament
and codicils, and the proofs and examinations taken
thereon, are recorded in the office of the Surrogate of
said last mentioned County.

In testimony whereof, I have hereunto set my hand and
affixed the seal of said Surrogate's Court, at Rochester,
in said County, this 2nd day of December 1891.

J. A. Adlington.
Surrogate.

State of New York,)
County of Monroe.) ss

I, E. A. Marsh, Clerk of the Surrogate's
Court of the County of Monroe, in the State of New
York, do hereby certify that the last will and testament
and codicils of Christina Pruitice, deceased, late of the city
of Rochester, in said County, was on the 2nd day of Decem-
ber 1891, pursuant to a decree of the Surrogate's Court
of the said County, admitted to probate in and by said
Court, as a will and codicils, valid to pass real and
personal property, and was recorded, with proofs taken
thereupon, in the office of the Surrogate of said County,
in Book of record of wills, at page _____ and
that said probate has not been reversed. And I further certify
that the foregoing is a copy of said last will and testament
and codicils of said Christina Pruitice, deceased, and
of the certificate of probate of said last will and testament
and codicils, and that I have compared the said copies with
the originals thereof remaining on file and of record
in said Court, in the office of said Surrogate, and the
same are correct transcripts thereof, and of the whole
of said original.

In testimony whereof I have hereunto set my hand and
affixed the seal of the Surrogate's Court of said County.
Witness, Hon. J. A. Adlington, Surrogate of said County,
at Rochester, N. Y. the 4th day of December A. D. 1891.

E. A. Marsh
Clerk of the Surrogate's Court.

Recorded, March 7th 1892
Wayne County, Wills

R. B. Shepley 1882-1892

In the Ordinance Court of the County of Wayne
in the State of Georgia;

The petition of Alexander Prentice, residing in the
city of Rochester, in the County of Monroe and State of
New York, respectfully shows, upon his information
and belief: 1st, That Christina Prentice died on or
about the 25th day of August 1891, at Ottawa, Canada,
at the age of 71 years, leaving real property situated
within your County, and leaving a last will and
testament relating to real and personal property,
bearing date the 24th day of January A.D. 1889, execu-
ted in the presence of Robert Kneesham and M. Walsh,
as attesting witnesses, and a first codicil thereto execu-
ted in the presence of M. Walsh, and Nettie Clarke
as subscribing witnesses; and a second codicil,
whereby she affirmed and republished her said last
will and said first codicil as the same were modified
by her said second codicil, which said second codicil
was dated the 2nd day of February A.D. 1889, and was
duly executed as prescribed by the laws of the State of
Georgia, and by the laws of the State of New York, where
said last codicil was executed, in the presence of
Cardius D. Bently of Rochester, New York, John Siddons
of Rochester, New York, and Robert P. Wicker of Rochester,
New York, in which will Alexander Prentice, your peti-
tioner, was designated as sole executor.

2^d. That said Christina Prentice, at the time of her
death as aforesaid, was a resident of the city of Roch-
ester, New York, and a citizen of the United States of
America.

3^d. That said decedent left no husband surviving her;
and that the following are all the heirs and next of
kin of said decedent, and their respective ages, and
places of residence, to wit: Annie Crisp, a daughter,
aged 57 years, residing at Moosaville, Northwest Territory,
Dominion of Canada; Alexander Prentice, your petitioner,
a son, aged 48 years, residing at Rochester, New York;
Jennie M. Lacey, a daughter, aged 46 years,
at Syracuse, north

...in the which said last Will and testament
and codicils, and the proofs and examinations taken
thereon, are recorded in the office of the Surrogate of
said last mentioned County.

In testimony whereof, I have hereunto set my hand and
affixed the seal of said Surrogate's Court, at Rochester,
in said County, this 2nd day of December 1891.

J. A. Adlington.
Surrogate.

State of New York, }
County of Monroe. }

I, E. A. Marsh, Clerk of the Surrogate's
Court of the County of Monroe, in the State of New
York, do hereby certify that the last will and testament
and codicils of Christina Pruitte, deceased, late of the City
of Rochester, in said County, was on the 2nd day of Decem-
ber 1891, pursuant to a decree of the Surrogate's Court
of the said County, admitted to probate in and by said
Court, as a will and codicils, valid to pass real and
personal property, and was recorded, with proofs taken
thereupon, in the office of the Surrogate of said County,
in Book of record of wills, at page _____ and
that said probate has not been reversed. And I further certify
that the foregoing is a copy of said last will and testament
and codicils of said Christina Pruitte, deceased, and
of the certificate of probate of said last will and testament
and codicils, and that I have compared the said copies with
the originals thereof remaining on file and of record
in said Court, in the office of said Surrogate, and the
same are correct transcripts thereof, and of the whole
of said originals.

In testimony whereof I have hereunto set my hand and
affixed the seal of the Surrogate's Court of said County.
Witness, Hon. J. A. Adlington, Surrogate of said County,
at Rochester, N. Y. the 4th day of December A. D. 1891.

E. A. Marsh
Clerk of the Surrogate's Court.

To the Probate Court of the County of Wayne
in the State of Georgia:

The petition of Alexander Prentice, residing in the
city of Rochester, in the county of Monroe and State of
New York, respectfully shows, upon his information
and belief: 1st, That Christina Prentice died on or
about the 25th day of August 1891, at Ottawa, Canada,
at the age of 71 years, leaving real property situated
within your County, and leaving a last will and
testament relating to real and personal property,
bearing date the 24th day of January A.D. 1889, execu-
ted in the presence of Robert Kneeshaw and M. Walsh,
as attesting witnesses, and a first codicil thereto execu-
ted in the presence of M. Walsh, and Nettie Clarke
as subscribing witnesses; and a second codicil,
whereby she affirmed and republished her said last
will and said first codicil as the same were modified
by her said second codicil, which said second codicil
was dated the 2nd day of February A.D. 1889, and was
duly executed as prescribed by the laws of the State of
Georgia, and by the laws of the State of New York, where
said last codicil was executed, in the presence of
Jardius D. Dently of Rochester, New York, John Siddons
of Rochester, New York, and Robert B. Wicker of Rochester,
New York, in which will Alexander Prentice, your peti-
tioner, was designated as sole executor.

2^d. That said Christina Prentice, at the time of her
death as aforesaid, was a resident of the city of Roch-
ester, New York, and a citizen of the United States of
America.

3^d. That said decedent left no husband surviving her;
and that the following are all the heirs and next of
kin of said decedent, and their respective ages, and
places of residence, to wit: Annie Crisp, a daughter,
aged 57 years, residing at Moosaville, Northwest Corner
Dominion of Canada; Alexander Prentice, your petitioner,
a son, aged 48 years, residing at Rochester, New York;
Annie D. Lacey, a daughter, aged 46 years,
residing at Syracuse, North Carolina; Elizabeth M. Lacey

aged 40 years, residing at Ottawa, Canada; Christina Wallack Prentice, a grand daughter, aged 20 years, residing at Brownsville, Ottawa, Canada; George William Prentice, a grand son, aged 12 years, residing at Brownsville, Ottawa, Canada; Elizabeth Frances Prentice, a grand daughter, aged 11 years, residing at Brownsville, Ottawa, Canada; Alexander L. Mather, a grand son, aged 17 years, residing at New Lowell, Ontario, Canada; James A. Mather, a grandson, aged 20 years, residing at New Lowell, Ontario, Canada; John W. Mather, a grandson, aged 18 years, residing at New Lowell, Ontario, Canada; Norman L. Mather, a grand son, aged 15 years, residing at New Lowell, Ontario, Canada.

4th. That said will and codicils were duly admitted to probate in the office of the Surrogate of the County of Monroe and State of New York, in solemn form, on the second day of December A.D. 1891, and letters testamentary thereon were that day issued to your petitioner, who duly qualified, entered upon his said office and is ~~still acting~~ as such executor.

5th. That no other petition for the probate of said will has ever been filed in any Probate Court to his knowledge.

6th. That your petitioner is informed and believes that the real property of said decedent situated in the State of Georgia does not exceed \$7000 in value, and that her personal estate situated in said State of Geo. does not exceed \$1000 in value.

7th. That your petitioner is informed, advised by counsel and believes, that it is expedient and necessary that said will be probated in the State of Georgia.

Your petitioner therefore prays that said will and codicils may be admitted to probate in your said court in accordance with the provisions of the laws of the State of Georgia, and that letters testamentary ^{thereon may} issue, with the will annexed according to law.

Dated, March 4th 1896.

Wayne County, N.Y.
1882-1892

Norman L. Prentice.

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State of New York }
County of Monroe } S.S.
City of Rochester }

Alexander Prentice being duly sworn says that he is the petitioner named in the foregoing petition, and that said petition is true to his knowledge, except as to the matters therein stated to be alleged upon information and belief, and as to those matters he believes it to be true.

Subscribed and sworn to { Alexander Prentice.
before me, this 14th day of March }
1896.

William F. Kiefer, Comr. of Deeds.

The petition of Alexander Prentice of Rochester, in the county of Monroe and State of New York, respectfully shows, upon information and belief: That Christina Prentice died on the 25th day of August, 1891, at Ottawa, Canada, in the province of Ontario, at the age of 71 years, leaving personal property within your County, and leaving a will and testament relating to real and personal property, bearing date the 1st day of August, 1891, duly executed as prescribed by the laws of the State of New York, and of Canada, where said will was executed in the presence of John Amatie, W. Green and John Jennings Taylor, as attesting witnesses, in which will Alexander Prentice, your petitioner, is designated as executor.

That the said decedent left her surviving no husband
and that the following are all the heirs and all the
of said decedent, and their respective ages
as of the date of said death, to-wit: Rebecca C. C. C.
aged 45 years, residing at Wayne County, Miss.
with Georgianna

ritary, Prov. of Canada. Alexander Prentice, a son, aged 45 years, residing at Rochester, in the State of New York. Jennie Lucie, a daughter, aged 41 years, residing at Rochester, in the State of New York. Elizabeth Moore, a daughter, aged 35 years, residing at Ottawa Canada. Alpha Jennie Hall, a grand daughter, aged 24 years, residing at Brownsville, Ontario. Christina Wallace Prentice, a grand daughter, aged 20 years, residing at Brownsville, Ontario.

George William Prentice, a grandson, aged 18 years, residing at Brownsville, Ontario. Elizabeth Frances Prentice, a grand daughter, aged 16 years, residing at Brownsville, Ontario. Alexander J Mather, a grandson, aged under 21 years, residing at New Lowell, Ontario. James A Mather, a grandson, aged under 21 years, residing at New Lowell, Ontario.

John W Mather, a grandson, aged under 21 years, residing at New Lowell, Ontario. Norman L Mather a grandson, aged under 21 years, residing at New Lowell, Ontario. That no petition for probate of said will has been filed in any Surrogate, Court. That your petitioner is informed and believes, that the said estate of said decedent does not exceed in value the sum of \$10,000, and that her personal estate does not exceed in value the sum of \$6,000.00. Your petitioner therefore prays that the said will may be proved, and that the said heirs and next of kin of said decedent may be cited to attend the probate thereof.

Dated the 12th day of September 1891.

Alexander Prentice,
Petitioner.

State of New York,
County of Monroe, S.S.
City of Rochester,

Alexander Prentice, being duly sworn, says he is the petitioner named in the foregoing petition, and that the said petition is true to his knowledge, except as to the matters therein stated to be alleged on information and belief, and as to those matters he believes it to be true.

Subscribed and sworn to before me, Alexander Prentice,
this 12th day of September 1891.

Arthur Warren,
Clerk of Courts.

Surrogate's Court, Monroe County.
In the matter of the Probate of the Last will and testament
of Christina Prentice, deceased.

State of New York,
County of Monroe S.S.
City of Rochester

Alexander Prentice, being duly sworn, says he is over twenty one years of age, and resides at No. 58 North Goodman St. Rochester, New York, and that he will well, faithfully and honestly discharge the duties of his office as executor of the will of Christina Prentice, the testatrix above named.

Subscribed and sworn to before me, Alexander Prentice,
this 5th day of December 1891.

Francis J. Macomber
Notary Public

Wayne County Wills
1882-1892

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Surrogate Court. Monroe County.
In the matter of the probate of the last will and
testament of Christina Prutice, deceased.

State of New York
County of Monroe, S.S.
City of Rochester

Nattie A Prutice, being duly sworn, says,
that at the time and place hereinafter named, she being
of the age of twenty one years and over, did serve person-
ally the annexed citation in the above entitled matter
on Jennie Luckey, at Rochester, N.Y. on the 9th day of
October 1891, by delivering a true copy of the same to
said Jennie Luckey personally, and leaving the same
with her, and that she knows the person so served
to be the person mentioned and described in the said
citation as one of the persons to be cited therein.

Subscribed and sworn to before me, Nattie A Prutice,
this 31st day of October 1891.

V. Moreau Smith, Notary Public.

State of New York
County of Monroe, S.S.
City of Rochester

E. J. Milligan, being duly sworn, says that he is
foreman in the office of the Rochester Post Express, a
daily paper, published in the city of Rochester, County
and State of aforesaid, and that a notice of which, the an-
nexed is a printed copy, was published in the said paper
at least in each week, for five successive weeks, commen-
cing on the 18th day of September 1891.

Subscribed and sworn to before me, E. J. Milligan
this 30th day of October 1891.

James W. Allis
Clerk, Deeds.

An original is pasted a printed copy of citation of

State of New York,
County of Monroe, } S.S.
City of Rochester. }

W H Liddon, being duly sworn, deposes and says, that he is foreman in the office of the Rochester Democrat and Chronicle, a daily newspaper published in the City of Rochester County and State aforesaid, and that a notice of which the annexed is a printed copy, was published in the said paper at least once in each week for six consecutive weeks, commencing on the 17th day of September 1891. Subscribed to before me this 30th October 1891. W H Liddon
Chas. H Smith,
Clerk of Deeds.

Surrogate's Court, Monroe County.
In the matter of the will of Christina Prentice, deceased.
City of Rochester } S.S.
Monroe County }

William E Carnochan, being duly sworn, says, I am over twenty one years of age. On the 17th day of September 1891, I served the annexed order and citation by mail, upon each of the persons named below, by depositing and leaving in the post office, at Rochester New York, true copies thereof, one set of said citation and order enclosed in a sealed envelope, addressed respectively, as follows, viz:
Mrs Ann Crisp, Moosamin, Northwest Territory, Dominion of Canada; Mrs Elizabeth Moor, Ottawa, Canada; Mrs Alpha Jennie Hall, Brownsville, Ontario Dominion of Canada; Christina Wallace Prentice, Brownsville, Ontario, Dominion of Canada; Geo. Alexander Prentice, Brownsville, Ontario, Dominion of Canada; Elizabeth Annals Prentice, Brownsville, Ontario, Dominion of Canada; Master Jas. W Mather, New Lowell, Ontario, Dominion of Canada; Alexander S Mather, New Lowell, Ontario, Dominion of Canada; James A Mather, New Lowell, Ontario, Dominion of Canada; Master Norman L Mather, New Lowell, Ontario, Dominion of Canada; James Addison Mather, New Lowell, Ontario, Dominion of Canada; Mrs George Prentice, Brownsville, Ontario, Dominion of Canada.
Wayne County, Wis.
That I prepaid full lawful postage on each and every

one of said envelopes, by postage stamps affixed thereon.
That the aforesaid several post office addresses of
the said persons are the same as given in said order, except
as to James Addison Mather, who, I am informed and believe
is the father of the aforesaid James A Mather, Alexander Mather,
Norman L. Mather and Jas. W Mather, infants, directed to be
cited in said order, and with whom they reside at New
Lawell aforesaid, as I am also informed and believe, and
except also as to Mrs. George Prentice, who, I am informed
and believe, is the mother of the infant parties, Christina
Wallace Prentice, Elizabeth Frances Prentice and George
Milliam Prentice, who reside with her at Frewsville,
aforesaid, as I am informed and believe.

Subscribed and sworn to by William E Carnochan.
this 20th day of September 1891,

Francis E Macomber
Notary Public.

The people of the State of New York,
By the Grace of God, Free and Independent.

To

Annie Crisp, Jennie Lukey, Elizabeth Moore,
Alpha Hall, Christina Wallace Prentice, Geo. William
Prentice, Elizabeth Frances Prentice, Alexander Mather,
James A Mather, Jas. W Mather, Norman L. Mather, heirs at
law and next of kin of Christina Prentice, send greeting.

Whereas, Alexander Prentice the executor named
in a certain instrument in writing, bearing date August
14th 1891, purporting to be the last will and testament of
Christina Prentice, late of the city of Rochester in said
county of Monroe and State of New York, deceased, and
relating to both real and personal estate, has lately made
application to the Surrogate Court of our County of Monroe,
to have said instrument proved and recorded as a will
of personal and real estate, you and each of you are
cited and required to appear before the Surrogate of the
County of Monroe, at his office in the city of Rochester,
in said county of Monroe, State of New York, on the 2nd day of
November 1891, at the place in the forenoon of that day

them and there to attend the probate of said last will and testament. And if any of the aforesaid persons are under the age of 21 years, they will please take notice that they are required to appear by their general guardian, if they have one, and if they have none that they appear and apply for the appointment of a special guardian, so in the event of their neglect or failure to do so, a special guardian will be appointed by the Surrogate to represent and act for them in the proceedings for the probate of said will. In testimony whereof, we have caused the seal of the Surrogate's Court of the county of Monroe, to be hereto affixed.

Witness, Hon. J. A. Adlington, Surrogate of said county, at the City of Rochester, this 14th day of September A.D. 1891.
E. S. Marsh, Clerk Surrogate's Court.

At a Surrogate's Court, held at the Surrogate's office, in the city of Rochester, in and for the County of Monroe, on the 14th day of September 1891,

Present: Hon. J. A. Adlington, Surrogate.

In the matter of the probate of the last will and testament of Christina Prentice, deceased.

It appearing to my satisfaction by the verified petition of Alexander Prentice, that Annie Crisp, Alexander Prentice, Jennie Lucie, Alpha Jennie Hall, Elizabeth Moore, Christina Wallace Prentice, George William Prentice, Elizabeth Frances Prentice, Alexander T. Mather, James A. Mather, Jas. W. Mather, and Norman L. Mather, are heirs at law and next of kin of the above named Christina Prentice, deceased, and are required to be cited to attend the probate of the last will and testament of said decedent, and that they are non-residents of the State of New York, living at the several to which mailing of a copy of citation herein, and of this order is hereinafter directed to be made.

Now on motion of J. D. Bentley, Attorney for the petitioner it is hereby ordered and directed that the service of citation herein upon said Annie Crisp, Elizabeth Moore, Jennie Hall, Christina Wallace Prentice, George William Prentice,
1891-1892 Wayne County Wills
www.georgiapioneers.com

Elizabeth Frances Prentice, Alexander J Mather, James A Mather, John W Mather and Norman L Mather, be made by publication thereof in two newspapers, printed and published in said County of Monroe, to-wit: Rochester Democrat and Chronicle, and Post Express, once a week for six successive weeks, which is the time I deem reasonable, or, at the option of said petitioner, by delivering a copy of the said citation, without the State, to the said Annie Crisp, Elizabeth Moor, Alpha Jennie Hall, Christina Wallace Prentice, George William Prentice, Elizabeth Frances Prentice, Alexander J Mather, James A Mather, John W Mather and Norman L Mather, in person, and, if any person to be served is an infant under the age of fourteen years, also to the person with whom he is sojourning. I further order and direct that on or before the day of the first publication, if service be so made, the petitioner herein deposit in the General Post Office, in the City of Rochester, N.Y. ten sets of copies of the said citation and of this order, each set containing in a securely closed, post paid wrapper, and directed as follows: One to each of the following named persons, at the place designated next after the name of each, and if any of said persons is an infant under the age of fourteen years, a further copy thereof to the person with whom such infant is sojourning: Annie Crisp, Moosamin, Northwest Territory, Dow, Canada; Elizabeth Moor, Ottawa, Canada; Alpha Jennie Hall, Brownsville, Ontario, Canada; Christina Wallace Prentice, Brownsville, Ontario; Elizabeth Frances Prentice, Brownsville, Ontario; George William Prentice, Brownsville, Ontario; Alexander J Mather, New Lowell, Ontario; James A Mather, New Lowell, Ontario; John W Mather, New Lowell, Ontario; and Norman L Mather, New Lowell, Ontario;

Dated Rochester, N.Y. Sept. 14th 1891.

Wm E. Mower

Monroe County Judge, & acting Surrogate.

1882-1882

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43

At a Surrogate's Court held at Rochester, in and
for the County of Monroe, on the 1st day of November
in the year of our Lord one thousand eight hundred
and ninety one.

Present Hon. J. A. Adlington, Surrogate.
In the matter of the probate of the last will and
testament of Christina Prentice, deceased.

Whereas, it duly appears from the petition of,
and other papers on file in the above entitled proceeding
that Christina ^{was} Prentice, George William Prentice, Elizabeth
Frances Prentice, Alexander T. Mather, James A. Mather,
John W. Mather and Norman L. Mather, are infants and
interested in said proceedings as heirs at law and next
of kin, of said decedent, and that said infants have
been duly cited herein and personally served with due
notice, under Section 2031, Code of Civil Procedure:

And it also appearing that said infants have no general
guardian, or guardians, and John M. Steele of the City
of Rochester in the County of Monroe, being a competent
and responsible person, and having consented to act as
the special guardian of the said infants in this proceed-
ing, and his consent being now duly filed in the office
of the said Surrogate: and it appearing by affidavit,
that he is of sufficient ability to answer to said infants
for any damage, which may be sustained by his negli-
gence or misconduct in his proceedings: It is therefore
ordered, that the said John M. Steele be, and he is hereby
appointed the Special Guardian of the said infants to
appear for them and protect their interests in this matter.

In witness whereof, the said Surrogate hath hereunto set
his hand and seal of office, at Rochester, N. Y. the said
1st day of November 1891.

J. A. Adlington, Surrogate.
I hereby consent to appear and act as the Special Guardian
of the infants named in the above order and appointment.

John M. Steele.

Wayne County Wills

Filed, November 1891.

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State of New York }
Wayne County } ss.
City of Rochester.

I, John M. Steele, being duly sworn, say I am an attorney and counsellor at law, engaged in the practice of my profession as such, at the City of Rochester, New York; that I have no interest adverse to that of the within named infants, and am not connected in business with the attorney or counsel of the adverse party or parties therein; that I am worth as I believe, in property not exempt from execution, the sum of two hundred and fifty dollars, over and above all debts and liabilities which I owe or have incurred.

Sworn to before me, this } John M. Steele.
2d day of November 1891. }

E. A. Marsh.

Cau. of Deeds.

Surrogate's Court, Monroe County.
Matter of the Probate of the alleged will of
Christina Prentice, deceased.

Please take notice, that the undersigned, who contests the probate of the alleged will of said decedent requires the examination of all the witnesses to said alleged will.

Rochester Nov. 2d 1891. Janet W. Lacey.

45
Surrogate Court, Monroe County.

Matter of the Probate of the Alleged will of
Christina Prentice, deceased.

The undersigned, Janet L. Leakey, a daughter of
the said decedent, and mentioned in said petition as
Janey Leakey, hereby contests the validity of the disposition
of the real and personal estate of the said decedent con-
tained in a certain paper writing, bearing date the 14th
day of August 1891, and purporting to be her last
will and testament, presented to and now before this Court
for probate, as a will of real and personal property, and
also calls into question the construction and legal
effect of said disposition. And for answer to the pe-
tition of Alexander Prentice for the probate of said will,
she avers upon information and belief, as follows:
1st: That the said paper is not the last will of said decedent,
and that the alleged execution thereof was not her free
and unconstrained or voluntary act.

2nd: That neither at the time said paper purports
to have been executed, nor at any time when it was exe-
cuted (if ever executed) nor for a long time previous was
she of sound mind, memory and understanding.

3rd: That the said paper was not subscribed, published
and attested, as and for her last will, in conformity with the
statute in such cases made and provided.

4th: That the said paper is invalid and void as a testamen-
tary disposition of the decedent's property on the following
among other grounds, to wit: That the said Elizabeth Moore,
the person to whom the said alleged will purports to devise
an interest in real property in the United States is a non-
resident alien, not authorized by law to hold said estate.

That the claim in said paper whereby decedent bequeaths
to Elizabeth Moore "all my goods, chattels, money, mortgages,
debts due for money, rights and credits, which shall be or
relate to any portion of my estate within the Dominion of
Canada, and not heretofore disposed of" is vague, ambiguous
and indefinite, and is not sufficient description since the said

Wayne County, N.Y.
1892-1893
in the Dominion of Canada and heretofore disposed of (see
www.geographichere.com)

except necessary wearing apparel,) but was possessed in
Richmond, N. Y. of a bond for the payment of money made
by her son, George Prentice, of Brownsville, Canada, payment
of which is secured by a mortgage on real property in or
near said Brownsville. That the claim in said paper whereby
said decedent purports to "devise and bequeath all and
singular my lands tenements and hereditaments of which
I may be possessed or entitled, or over which I may have
power to dispose, and which shall not be within the Dom-
inion of Canada, and also all my goods, chattels, money,
securities for money, rights and credits, which have not
been heretofore disposed of, and which shall not be within
the Dominion of Canada, but which shall, or may be in
any other place, except the Dominion of Canada," is vague
and uncertain, and no sufficient description since the
said decedent was not possessed of personal property
not within the Dominion of Canada, except the bond and
mortgage heretofore mentioned, and a small amount
of money in hand, and was not possessed of real
property, except that she claimed title to certain lands
in the State of Georgia, of which her husband died, seized
to enforce which claim a suit has been commenced and
is pending. That there is no power or authority in said
paper confirming upon the person named as executor
thereof, or upon any other person, to collect or receive
the income from, or care for and protect the said real
estate so claimed by the decedent, as against the lien
of her said husband, nor to continue the said action.
And: That said paper was not freely and voluntarily
made, is invalid as a last will and testament, and is
alleged and void. Wherefore, the undersigned contestant
prays that the proceeding may be dismissed with
costs. Signed. Janet W. Lacey.

J. J. Lacey, Atty. for Contestant.

State of New York
County of Monroe } SS.

Janet W. Lacey, being duly sworn,
says the foregoing answer is true of her own knowledge,
except as to the matters therein stated to be alleged upon
information and belief, and that as to those matters
she believes it to be true. signed
Sworn to before me, this 1st day of November 1891.
Janet W. Lacey.

E. A. Marsh
Cov. of Deeds.