

Samuel Drake Testator

State of New York--Genesee County--Surrogate's Court.

TO THE SURROGATE OF THE COUNTY OF GENESEE :

The petition of Norman Drake of the town of Cakefield in the said County

respectfully represents : That Samuel Drake late of the town of Elba in said County,

departed this life in the town of Elba aforesaid

on the thirtieth day of May 1874, having previously, as the petitioner is informed and

believes, duly made, executed and published his LAST WILL AND TESTAMENT, bearing date the eight day

of June 1869

which is now produced : That the petitioner and Samuel O. Drake are

the Executors

named in said Will.

That the said deceased was at the time of making and publishing said last Will and Testament

of sufficient age to enable him to make such Will

and at his decease, an inhabitant of the County of Genesee.

That said last Will and Testament relates to real and personal estate, and the deceased died possessed of

real and personal estate in the said County of Genesee.

The petitioner further shows that according to the best of his knowledge and judgment, the estate and effects for and in respect to

which probate is herein applied for, will not exceed the value of Six thousand dollars.

The petitioner further shows that the names of the heirs and next of kin of the said deceased, and their respective

places of residence so far as your petitioner upon diligent enquiry has been able to ascertain the same, are as follows, viz :

<u>Edward Drake</u>	his son	<u>Cornwall</u>	<u>Genesee County</u>	<u>New York</u>
<u>Orrin Drake</u>	" son	<u>Melina</u>	<u>Tamworth County</u>	<u>Texas</u>
<u>William Drake</u>	" son	<u>Bancroft</u>	<u>Orleans County</u>	<u>New York</u>
<u>Moses Drake</u>	" son	<u>Painville</u>	<u>Lake County</u>	<u>Ohio</u>
<u>Samuel O. Drake</u>	" son	<u>Elba</u>	<u>Genesee County</u>	<u>New York</u>
<u>Mary Ann Markham</u>	" daughter	<u>Greene</u>	<u>Monroe County</u>	<u>do</u>
<u>Jane S. Drake</u>	" daughter	<u>Elba</u>	<u>Genesee County</u>	<u>do</u>
<u>Stephen A. Drake</u>	" son		<u>Same place</u>	
<u>Elvira Drake</u>	" daughter		<u>Same place</u>	

all of whom are of full age

Your petitioner therefore pray that a citation may be issued out of and under the seal of this Court, to be directed to the proper persons, pursuant to the Statute in such case made and provided, requiring them and each of them at such time and place as shall be in the said Citation mentioned, to appear and attend to the probate of said last Will and Testament, and that.....

.....such further or other proceedings in the premises should be duly had as may be requisite to the proving and recording of the said last Will and Testament, and the granting probate and Letters Testamentary thereof. And your petitioner will ever pray.

Dated, this Fifth day of June in the year of our Lord one thousand eight hundred and Seventy.

Norman Drake

**STATE OF NEW YORK,
Genesee County.**

On this Fifth day of June 1873, before me,

Clark to the Surrogate Court Surrogate of the County of Genesee, in open Court, personally appeared.....

Norman Drake the petitioner named in the foregoing petition, who being by me duly sworn, did depose and say that he had heard the foregoing petition, by him subscribed, read, and know the contents thereof, and that the same is true of his own knowledge, except as to the matters therein stated on information and belief, and as to those matters he believes it to be true.

W. H. Babcock Clark to the **SURROGATE'S
Court**

Filed the..... day of..... 18.....

1873. August 18- Edward Drake. Orrin Drake. William Drake. Moses Drake. Samuel O Drake Mary A. Markham. Stephen A. Drake. Jane S. Drake and Eliza Drake, being the only heirs of Samuel Drake, deceased, all of whom are of full age, having in writing waived the issue and service upon them of a citation to attend the proof and probate of the last Will and Testament of the said deceased, and Norman Drake and Samuel O. Drake the Executors named in said Will, appearing for the purpose of proving said Will, the proofs were taken in relation to the execution and publication thereof and the same was established and admitted to probate this day.

Lucas W. Deary Surrogate

Genesee County, ss.

We Norman Drake and Samuel O. Drake Executors named in the last Will and Testament of Samuel Drake late of the town of Elba in the said County, deceased, do solemnly swear that we will faithfully and honestly discharge the duties of Executors of said last Will and Testament.

Sworn this Eighteenth day of August 1873, before me,

W. H. Babcock Clark to the **SURROGATE'S
Court**

Norman Drake
S. O. Drake

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