

her last will and testament, and bearing date the 20<sup>th</sup> day of December in the year one thousand nine hundred and six was made by the decedent at Atlantic City, N. J. on the 20<sup>th</sup> day of December in the year one thousand nine hundred and six, in the presence of myself and James A. Bathurst, the other subscribing witnesses. At the time of such subscription the said decedent declared the said instrument to be her 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 her presence. The said decedent at the time of executing said instrument, was upwards of the age of twenty-one years, and in our opinion of sound mind, memory and understanding, not under any restraint or in any respect incompetent to make a will.

I also saw <sup>said</sup> James A. Bathurst, the other subscribing witness, sign his name as witness at the end of said will, and know that he did so at the request and in the presence of said decedent. I knew said decedent for about 12 years before the execution of said instrument.

Louisa Gerlach Gillmore

Witness sworn and examined before me this 14<sup>th</sup> day of February 1908

Jacob Washburn

Assistant to the Surrogate, New York County

At a Surrogate's Court held in and for the County of New York, at the Surrogate's Office in said County on the 19<sup>th</sup> day of February in the year 1908

Present,

Hon. Charles H. Beckett,  
Surrogate

On the matter of proving the last Will and Testament of Libby Howell, deceased.

The citation herein having been duly issued, served and returned and the Surrogate having on application duly made appointed John C. O'Sullivan Esq. special guardian of the infant herein, the allegations of the parties appearing having been heard, and the proofs having been duly taken by the Surrogate among other things as to the execution of said instrument bearing date December 20<sup>th</sup> 1906, and the probate of the said will not having been contested and it appearing to the Surrogate that the will was duly executed and that the testament at the time of executing it was in all

aspects competent to make a will and not under restraint, it is

Ordered, Adjudged and Decreed that the instrument offered for probate herein be and the same hereby is admitted to probate as the last will and testament of the said deceased said to pass real and personal property, and that letters testamentary be issued thereon to the executor who may qualify thereunder. And that John C. O'Sullivan Esq. the special guardian of the infant herein is hereby allowed fifteen Dollars for his costs

Charles H. Beckett,  
Surrogate

The People of the State of New York,

By the Grace of God Free and Independent,

To all to whom these presents shall come or whom they may concern, send Greeting:

Know Ye, That, at the County of New York, on the 19<sup>th</sup> day of February in the year of our Lord one thousand nine hundred and eight before Hon. Charles H. Beckett a Surrogate of our said County, the last Will and Testament of Libby Howell deceased, was proved, and is now approved and allowed by us; and the said deceased having been at the time of her death a resident of the County of New York, by means whereof the proving and registering said will and the granting administration of all and singular the goods, chattels and credits of the said testator, and also the auditing, allowing and final discharging the account thereof doth belong unto us, the administration of all and singular goods, chattels and credits of the said deceased in any way concerning her will, is granted unto James A. Bathurst of the City of New York, N. Y. executor in the said will named, he being first duly sworn, well, faithfully and honestly to discharge the duties of such executor.

In Testimony Whereof, we have caused the seal of office of the Surrogate's Court of the County of New York to be hereunto affixed.

Witness, Hon. Charles H. Beckett, a Surrogate of our said County of New York, at said County, the 29<sup>th</sup> day of February in the year of our Lord one thousand nine hundred and eight

Daniel J. Howdrey,  
Clerk of the Surrogate's Court.