

THE PEOPLE OF THE STATE OF NEW YORK

BY THE GRACE OF GOD FREE AND INDEPENDENT

To

William Tracy, Charles Tracy,
Frances, wife of William F. Well,
and Katharine R. Parker, severally,
residing in the City of New York,
Anna Goodrich, and Susan Goodrich,
both residing at the City of Utica, Oneida
Co New York, Charlotte F. Parker and
Rachel T. Whitehead, both residents
of the City of New York, but who are now
temporarily sojourning in Europe

of Edward H. Tracy

Whereas, William Tracy

has lately applied to our Surrogate of the County of New York, to have a certain
instrument, in writing, relating to both real and personal estate, duly proved as the last
Will and Testament of Edward H. Tracy

late of the City
of New York, deceased. Therefore, you, and each of you, are cited to appear before our
said Surrogate, at his office, in the City of New York, on the First day
of November 1875, at ten o'clock in the forenoon of that day, then and
there to attend to the probate of the said last Will and Testament.

In Testimony Whereof, the Surrogate of our said County
has hereunto affixed his seal of office, the Eighth
day of September

One Thousand Eight
Hundred and Seventy-five

Morgan H. Rayson
Clerk to the Surrogate's Court.

State of New York
City and County of New York ss.

Charles Edward Tracy of said City
being sworn says that he made personal service of the
foregoing original citation on the following named persons
in said citation mentioned by exhibiting to each of them
the said original citation and delivering to each of them
a copy thereof as follows; on the said Frances, wife of
William H. Wells, Katharine R. Parker and Charlotte H.
Parker in the City of New York on the twentieth day of
September 1875, the said Charlotte H. Parker having returned
to her home since the filing of the petition herein.

Sworn to before me this
21st day of September 1875

Charles Edward Tracy

Mrs. Taylor
Notary Public
N.Y. County.

City and County of New York ss.

W. F. Haemer of said City
being sworn says that he made personal service
of the foregoing original citation on William
Tracy one of the persons in said citation mentioned
by exhibiting to him the said original citation
and delivering to the said William Tracy
a copy thereof in the City of New York on
the twenty first day of September 1875

Sworn to before me this
21st day of September 1875.
Mrs. Taylor
Notary Public
N.Y. County.

W. F. Haemer.

County of New York, }
SURROGATE'S COURT.

TO THE SURROGATE OF THE COUNTY OF NEW YORK:

The Petition of William Tracy
of the City of New York, respectfully sheweth

That your Petitioner is an Executor — named in the last Will and Testament
of Edward H. Tracy — late of the County of New York,
deceased: That the said deceased was, at or immediately previous
to his death, an inhabitant of the County of New York, and departed this life in
said County, on the twenty eighth day of August 1873 and that
said last Will and Testament relates to both real and personal estate.

Your Petitioner further shows that the ~~widow~~^{heirs}, only heirs, and next of kin of said
deceased, are as follows: He ~~has~~^{has} no widow. His brothers were John
and Charles Tracy his only brothers: Francis H. Wells wife of William
H. Wells his only sister - Katharine R. Parker & Charlotte H. Parker
two daughters of a deceased sister, Rachel J. Whitehead daughter
of a deceased sister, and Anna Goodrich & Susan Goodrich
daughters of a deceased sister: all of now persons, and of
full age and all out the said Anna Goodrich & Susan
Goodrich who reside in the same one and a half family reside
in the City of New York. The said Tracy died unmarried
leaving no descendants and no other heirs or next of kin
than those above mentioned, ^{your petitioner further states} ~~and~~ that the
said Charlotte H. Parker and Rachel J. Whitehead
are ^{temporarily} ~~temporarily~~ ⁱⁿ ~~in~~ Europe. ~~That the Estate and effects of~~
~~in respect of which the Probate of said Will is applied for, do not exceed in value the~~
~~sum of~~ \$50,000.

Your Petitioner therefore prays, that the said last Will and Testament may be
proved, and Letters Testamentary granted thereon according to law.

William Tracy,

City and County of New York, ss.: I, William Tracy —

the Petitioner named in the foregoing Petition, being duly sworn, do depose and say, that
I have read the foregoing Petition, to which I have subscribed my name, and
know the contents thereof, and that the matters of fact therein stated are true, and that the
matters therein stated of my information and belief, I believe to be true.

Sworn this 8th

day

of Sept

A. D. 1873, before me,

William Tracy

[Signature]
Sept 11 1873
The Surrogate.

Surrogate's Court,

COUNTY OF NEW YORK.

In the matter of proving the last Will and Testament of

Edward H. Tracy

deceased,

as a Will of Real and personal Estate.

Examination of Witnesses, sworn and examined in the
above entitled matter.

County of New York, to wit:

Ambrose Ryden
of Carmel Putnam Co. N.Y. 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 well acquainted with Edward H. Tracy now deceased.

I knew the above named decedent for upwards of four years
before his death. 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 12th day

of August in the year one thousand eight hundred
and ninety-five was

made by the decedent at the Village of Carmel. New York

in the presence of myself, Francis T. Wells and Austin
La Monte the other subscribing witness.

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 of sound mind, memory, and understanding, and
not under any restraint, or in any respect incompetent to devise real estate. I also

saw said Francis T. Wells + Austin La Monte the other
attesting witness sign their names as witness at the end of

said will, and know that he did
so at the request of said decedent, and in his presence.

Sworn this 1st day
of November 1875 before me,

Ambrose Ryden

David G. Hill
Asst. Surrogate

SURROGATE.

Surrogate's Court,

COUNTY OF NEW YORK.

In the matter of proving the last Will and Testament of

Edward H. Tracy

deceased,

as a Will of Real and personal Estate.

Examination of Witnesses, sworn and examined in the
above entitled matter.

County of New York, to wit: Frances J. Wells

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 well acquainted with Edward H. Tracy now deceased.

I knew the above named decedent for at least forty years
before his death. 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 1st day

of August in the year one thousand eight hundred
and seventy-five was

made by the decedent at the Village of Carmine

in the presence of myself, Austin La Monte and Ambrose

Ryder the other subscribing witness.

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 of sound mind, memory, and understanding, and
not under any restraint, or in any respect incompetent to devise real estate. I also
saw said Austin La Monte + Ambrose Ryder the other
attesting witness sign their names as witness at the end of
said will, and know that they did
so at the request of said decedent, and in his presence.

Sworn this

First

day

of November 1875, before me,

Daniel S. Hall

and

SURROGATE.

Frances J. Wells

Surrogate's Court,

COUNTY OF NEW YORK.

In the matter of proving the last Will and Testament of

Edward H. Tracy

deceased,

as a Will of Real and personal Estate.

Examination of Witnesses, sworn and examined in the
above entitled matter.

County of New York, to wit: Austin La Monte
of Carmel, Putnam Co. N.Y. 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 well acquainted with Edward H. Tracy — now deceased.
I knew the above named decedent for

before his death. 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 1st day
of August in the year one thousand eight hundred
and 85.5 was

made by the decedent at the Village of Carmel N.Y.
in the presence of myself Francis J. Wells and Ambrose
Ryder the other subscribing witness.

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 of sound mind, memory, and understanding, and
not under any restraint, or in any respect incompetent to devise real estate. I also
saw said Francis J. Wells and Ambrose Ryder the other
attesting witnesses sign their names as witnesses at the end of
said will, and know that they did
so at the request of said decedent, and in his presence.

Sworn this 1st day of November 1875 before me,
Daniel B. Sullivan
SURROGATE.

The last will and Testament
of Edward H. Tracy,

I, Edward H. Tracy of the City
of New York, Civil Engineer, hereby make
my last will and testament as follows:

All my estate and property of
every kind, I give, devise and be-
queath to my brothers William
Tracy and Charles Tracy, in equal
shares, and if either of them dies
before me his share goes to the sur-
vivor - and I appoint them execu-
tors of this will, and I revoke all
former wills and testaments,

In witness whereof I have here-
to set my hand and seal at
Carmel, N.Y. this Tenth day of
August 1875.

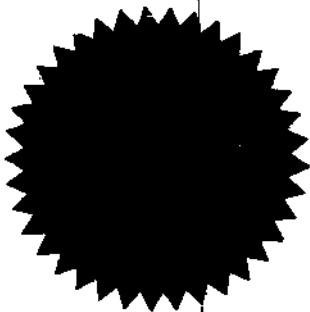
Edw. H. Tracy.

Signed, sealed, published and declared
by Edward H. Tracy as his last will
and testament, at Carmel, N.Y. this
Tenth day of August 1875, in the
presence of us, who at his request
and in his presence and in presence
of each other have subscribed
our names hereto at the same

time and place, as attesting with
oath.

James T. Hall,
Residing at 10 West 42nd St
New York City -
For his Testimony
taken at Canal N. Y.
New York City, Residing
at 10 West 42nd St

County of NEW YORK, Surrogate's Office.
BE IT REMEMBERED, that on the day of the date hereof the last Will and Testament
of Edward M. Tracy deceased, being the foregoing written
instrument, was duly proved before Robert C. Hastings Surrogate of said County, ac-
cording to law, as and for the last Will and Testament
of the test, and, personal Estate of said deceased, whose said last Will and
Testament and Proofs are recorded in this office in Liber 231
of Wills, page 411. In Testimony Whereof, the Surrogate of said County
has hereupon subscribed his name and affixed his Seal of Office, this First
day of November, One Thousand Eight Hundred and seventy five.



Surrogate,