

February 28, 2011

Ms. Sheila Rockey
Senior Court Office Assistant
Surrogate's Court
County of Chautauqua
P.O. Box C
Mayville, NY 14757

Dear Ms. Rockey,

Thank you for the information regarding the Underwood probate. I have enclosed two dollars to cover the cost of the copying. I certainly do not expect change. If need be, please feel free to copy 2 pages again so it rounds off to two dollars. I have also enclosed a SASE.

Thank you once again.

Sincerely,

Mark Reider
7645 E Woodsboro Ave
Anaheim, CA 92807

Last Will and Testament.

June 21st. 1911.

I, Charles B. Underwood of the Town of Westfield in the County of Chautauqua and State of New York, being of sound mind and memory, do make, publish and declare this my last Will and Testament, in manner following, that is to say:

First.- I direct that all my just debts and funeral expenses be paid.

Second; I will to my wife three hundred dollars. All the rest of the property we own jointly together consisting of real and personal, my half of which I leave the use of to my wife as long as she lives, and at death of both of us my property less three hundred dollars to be given to my son George F. Underwood if living, if not to his children.

The joint property consisting of money notes and real estate we each had at the death of both of us, also the small black walnut bedstead dresser and washstand and feather bed to be given to George F. Underwood.

After debts and funeral expenses twenty five dollars to Cemetery Association for perpetual care of our lot.

Lastly.- I hereby appoint
 of this, my last Will and Testament; hereby revoking all former wills by me made.
 In Witness Whereof, I have hereunto subscribed my name the 21st day of June in the year of
 one thousand nine hundred and eleven

Chas. B. Underwood

We, whose names are hereto subscribed, Do Certify, that on the 21st day of June 1911. the testator, subscribed his name to this instrument in our presence and in the presence of such of us, and at the same time, in our presence and hearing, declared the same to be his last Will and Testament, and requested us, and each of us, to sign our names thereto as witnesses to the execution thereof, which we hereby do in the presence of the testator and of each other, on the said date and write opposite our names our respective places of residence.

Rex L. Dascomb residing at Westfield N. Y.
 Josephine Dascomb residing at Westfield N. Y.

Recorded the foregoing last Will and Testament of Charles B. Underwood decreed, and compared the same with the original Will this 23rd day of August 1912.
 Clerk of the Surrogate's Court.

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Charles B. Underwood

Letters of Administration,
WILL ANNEXED.

DECEASED.

Dated August 23 1912.

The People of the State of New York:

To Addie E. Underwood

Administratrix with the WILL annexed, of all and singular the Goods, Chattels and Credits which were of

Charles B. Underwood

late of the Village of Westfield in the County of Chautauqua, deceased.

Whereas, the said Charles B. Underwood lately departed this life, having previously duly made and executed A LAST WILL AND TESTAMENT:

And Whereas, said Will was, on the 23rd day of August 1912 duly admitted to probate by Hon. Harley N. Crosby, Surrogate of the County of Chautauqua, N. Y.

And Whereas, the said Testator did by said Will neglect and fail to nominate and appoint any

Executor thereof.

And Whereas, the only other heir at law and next of kin of said decedent and legatee named in his Will, having consented to and requested that said Addie E. Underwood be appointed Administratrix was in accordance with law duly appointed and qualified as such Executor

with the Will annexed of the Estate of said decedent.

And Whereas, the said Charles B. Underwood at, or immediately previous to his death, was an inhabitant of the County of Chautauqua, by means whereof the proving and registering of said Will, and the ordering and granting Administration of all and singular the goods, Chattels and credits whereof the said Testator died possessed in the State of New York; and also the auditing, allowing and final discharging the account thereof, doth appertain unto us, and we being desirous that said Will should be observed and performed, and that the goods, chattels and credits of said Testator should be well and faithfully administered, applied and disposed of we DO GRANT UNTO YOU, the said Addie E. Underwood full power and authority, by these presents, to administer and faithfully to dispose of all and singular the said goods, chattels and credits, and to ask, demand, recover and receive the debts which unto the said Testator whilst living, and at the time of his death, did belong, and to pay the debts which the said Testator did owe, as far as such goods, chattels and credits will thereto extend and the law require: hereby requiring you to observe and perform the said last Will and Testament, and to observe and perform all the duties to which you would have been subject if you had been named the Executor thereof.

And We do, by these Presents, depute, constitute and appoint you, the said Addie E. Underwood

Administratrix with the Will annexed, of all and singular the goods, chattels and credits which were of said Charles B. Underwood deceased.

L. S.] In Testimony Whereof, We have caused the Seal of Office of our Surrogate to be hereunto affixed

Witness, Hon. Harley N. Crosby, Surrogate of the said County, at Mayville,

this 23rd day of August 1912.

Will D. Parker
Clerk of the Surrogate's Court.

IN THE MATTER OF THE ESTATE OF

Charles B. Underwood
DECEASED.

CHAUTAUQUA COUNTY SURROGATE'S COURT.

Letters of Administration,
de bonis non
WILL ANNEXED.

Date May 2 1921

The People of the State of New York:

To George F. Underwood
de bonis non Administrator with the WILL annexed, of all and singular the Goods, Chattels and Credits which were of

late of the Village of Westfield in the County of Chautauqua, deceased.

Whereas, the said Charles B. Underwood lately departed this life, having previously duly made and executed A LAST WILL AND TESTAMENT:

And Whereas, said Will was, on the 23rd day of August 1912, duly admitted to probate by Hon. Harley N. Crosby, Surrogate of the County of Chautauqua, N. Y.

And Whereas, the said Testat. et did by said Will fail to nominate and appoint an

Execut. et thereof.

And Whereas, Adaline E. Underwood was in accordance with law duly appointed and qualified as such Execut. Administratrix with the will

annexed of the Will of said decedent but died before having fully administered said estate.

And Whereas, the said Charles B. Underwood at, or immediately previous to his death, was an inhabitant of the County of Chautauqua, by means whereof the proving and registering of said Will, and the ordering and granting Administration of all and singular the goods, Chattels and credits whereof the said Testat. et died possessed in the State of New York; and also the auditing, allowing and final discharging the account thereof, doth appertain unto us, and we being desirous that said Will should be observed and performed, and that the goods, chattels and credits of said Testat. et should be well and faithfully administered, applied and disposed of we DO GRANT UNTO YOU, the said

George F. Underwood full power and authority, by these presents, to administer and faithfully to dispose of all and singular the said goods, chattels and credits, and to ask, demand, recover and receive the debts which unto the said Testat. et whilst living, and at the time of his death, did belong, and to pay the debts which the said Testat. et did owe, as far as such goods, chattels and credits will thereto extend and the law require: hereby requiring you to observe and perform the said last Will and Testament, and to observe and perform all the duties to which you would have been subject if you had been named the Execut. et thereof.

And We do, by these Presents, depute, constitute and appoint you, the said

George F. Underwood
de bonis non Administrator with the Will annexed, of all and singular the goods, chattels and credits which were of said Charles B. Underwood deceased.

L. S.] In Testimony Whereof, We have caused the Seal of Office of our Surrogate to be hereunto affixed

Witness, Hon. Harley N. Crosby, Surrogate of the said County, at Mayville,
this 2nd day of May 1921.

Will D. Parker

Charles B. Underwood

Dated May 2d 1921

Orders For Administration
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DECEASED.

At a Surrogate's Court, held at the VILLAGE OF MAYVILLE, in and for the COUNTY OF CHAUTAUGUA, N. Y. this 2nd day of May 1921

Before Hon. HARLEY N. CROSBY, SURROGATE of said County. On the day and at the place aforesaid

George F. Underwood of the City of Buffalo in said County appeared, and presented a petition that Letters of Administration, *de bonis non with the Will annexed* of the goods, chattels and credits of Charles B. Underwood late of the Village of Westfield in said County, deceased be granted to George F. Underwood.

Whereupon, it was proved, to the satisfaction of the said SURROGATE, that the said deceased, at the time of his death, was a resident of Westfield in the County of Chautauqua: That he died at the Village of Westfield in the County of Chautauqua, on the 27th day of July in the year of our Lord one thousand nine hundred and eleven and that he left a LAST WILL AND TESTAMENT, *which was admitted to probate Aug. 23, 1912* according to the knowledge and belief of the said petitioner; and that the said petitioner has no doubt that the said deceased died ~~intestate~~ *intestate*, and that the value of the ~~personal~~ *remaining unadministered* estate of the said deceased does not exceed *six hundred* Dollars, and that the said petitioner is *the son* of the said deceased, and that he left the following kindred entitled to his estate, to wit:

Adaline E. Underwood widow since deceased
George F. Underwood son full age Buffalo, N.Y.

Estimated value of Real Estate

Whereupon, it is ordered that LETTERS OF ADMINISTRATION, *de bonis non with the Will annexed* of the goods, chattels and credits of the said deceased be granted to George F. Underwood on his entering into a bond to the people of the State of New York, with at least two sufficient sureties, to be approved by the said SURROGATE, in the penal sum of *Twelve hundred* Dollars, conditioned for the faithful execution of the trust reposed in him as such administrator, *de bonis non with the Will annexed* and obeying all lawful decrees and orders of the SURROGATE'S COURT of said County, and taking and prescribing the oath of office prescribed by law.

Whereupon, on the 2nd day of May 1921, the said George F. Underwood having produced the bond required, duly executed and approved, and having taken and subscribed the oath of office prescribed by law, which bond and oath are duly filed by the SURROGATE. It is further ordered that Letters of administration be granted to the said George F. Underwood of the goods, chattels and credits of the said Deceased.

It is further Ordered, on application of the said administrat that of two disinterested persons of said County of Chautauqua, be and are hereby appointed appraisers of the personal estate of the said deceased.

(L. S.)

In Testimony Whereof, I, HARLEY N. CROSBY, SURROGATE of said County of Chautauqua, have hereunto set my hand and seal of office, this 2nd day of

May

1921, Harley N. Crosby, Surrogate.

In the case of proving the last Will and Testament of Charles B. Underwood deceased. At a Surrogate's Court, held at Mayville, in and for the County of Chautauqua, N. Y., on the 23rd day of August 1912. before Hon. HARLEY N. CROSBY, Surrogate of said County.

On the day and year, and at the place aforesaid, Addie E. Underwood, legatee named in the instrument purporting to be the last Will and Testament of Charles B. Underwood late of the Village of Westfield in said County appeared and offered the said instrument for probate as the last Will of said deceased and made satisfactory proof before the said Surrogate, that the said deceased died on the 27th day of July 1911. That at the time of his death he was an inhabitant and resident of Chautauqua County, N. Y. That he died leaving said instrument purporting to be a last Will and Testament, which is now exhibited in the said Surrogate's Court, which bears date on the 21st day of June 1911; and which relates to Real and Personal Estate.

That the following named persons are all the heirs and next of kin of the said deceased, with their places of residence and ages, as nearly as can be ascertained, viz:

- Said deceased left him surviving: Addie E. Underwood, (Widow), Westfield, N. Y. full age. George F. Underwood, son Buffalo, N. Y. " "

Said petitioner presented the duly executed waiver of service of citation from said George F. Underwood consenting to the probate of said Will.

It is therefore, hereby Ordered and Decreed, That a Citation issue to the widow, heirs and next of kin of the said deceased, to appear and attend the probate of the said proposed Will, before the said Surrogate, at his office in Mayville, N. Y., on the 1911; at ten o'clock in the forenoon.

In Testimony Whereof, I have hereunto set my hand and seal of office, this (L. S.) day of 1911

Clerk of the Surrogate's Court.

On this day of 1911 this case was further ajourned to the day of 1911

In Testimony Whereof, I have hereunto set my hand and seal of office, this (L. S.) day of 1911

Clerk of the Surrogate's Court.

In the case of proving the last Will and Testament of Charles B. Underwood deceased. At a Surrogate's Court, held at Mayville, in and for the County of Chautauqua, N. Y., on this day of 1911. before Hon. HARLEY N. CROSBY, Surrogate of said County.

On the day and year, and at the place aforesaid, Execut named in the instrument purporting to be the last Will and Testament of late of the of in the County of Chautauqua, deceased, appeared and prayed that the said Instrument be admitted to probate as the last Will and Testament of deceased, and exhibited the following proofs, viz:

First, due service of the Citation heretofore issued, upon all persons interested in the estate of said decedent, as widow, heirs at law or next of kin.

STATE OF NEW YORK,)
COUNTY OF CHAUTAUQUA,)

Whereupon the following witness being duly sworn, testified as follows:

Rex G. Dascomb of the Town of Westfield being duly sworn does depose and say, that he is a subscribing witness to the instrument purporting to be the last Will and Testament of Charles B. Underwood deceased, that the said decedent did in the presence of this deponent, subscribe his name at the end of the Instrument which is now shown and exhibited to said deponent, and which purports to be the last Will and Testament of the said decedent, and which bears date on the 21st day of June in the year one thousand nine hundred and eleven, this deponent further States that the said decedent did, at the said time of subscribing his name as aforesaid at the end of the said Instrument declare the said Instrument so subscribed and now exhibited, to be his last Will and Testament.

And this deponent and Josephine Dascomb did thereupon subscribe their names at the end of the said Instrument as attesting witnesses thereto in the presence and at the request of the said decedent; and this deponent further says that at the said time, when the said decedent subscribed his name to the said Instrument as aforesaid, and at the time of this deponent subscribing his name as an attesting witness thereto as aforesaid, the said decedent was of sound mind and memory, of full age to execute a Will and was not acting under any restraint, and that the said instrument now appears in all respects as when so executed, without any alteration whatsoever.

Subscribed and sworn to before me this 23rd day of August 1912.

Rex G. Dascomb

Will D. Parker

STATE OF NEW YORK,

COUNTY OF CHAUTAUKA,

SS.

Josephine Dascomb of the Town of Westfield being duly sworn depose and say, that she is a subscribing witness to the instrument purporting to be the last Will and Testament of Charles B. Underwood deceased; that the said decedent did in the presence of this deponent, subscribe his name at the end of the Instrument which is now shown and exhibited to said deponent, and which purports to be the last Will and Testament of the said decedent, and which bears date on the 21st day of June in the year one thousand nine hundred and eleven and this deponent further says that the said decedent did, at the said time of subscribing his name as aforesaid at the end of the said Instrument declare the said Instrument so subscribed and now exhibited, to be his last Will and Testament.

And this deponent and Rex G. Dascomb did thereupon subscribe their names at the end of the said Instrument as attesting witnesses thereto in the presence and at the request of the said decedent, and this deponent further says that at the said time, when the said decedent subscribed his name to the said Instrument as aforesaid, and at the time of this deponent subscribing her name as an attesting witness thereunto as aforesaid, the said decedent was of sound mind and memory, of full age to execute a Will and was not acting under any restraint, and that the said Instrument now appears in all respects as when so executed, without any alteration whatsoever.

Subscribed and sworn to before

me this 23rd day of August 1912.

Josephine Dascomb

Will D. Parker

Clerk of the Surrogate's Court.

WHEREUPON. I, HARLEY N. CROSBY, the Surrogate aforesaid, upon the proof aforesaid being satisfied of the genuineness and validity of the said Instrument, that the same was duly executed that the testator at the time of so executing the same was of full age for making a will, was of sound mind and memory, not under restraint and in all respects competent to devise and bequeath Real and personal Estate, and that the probate thereof has not been contested, do therefore order, adjudge and decree, that the same be admitted to probate as a Will of Real and Personal Estate, and as the last Will and Testament of Charles B. Underwood deceased, and that the same, with the proofs thereof, be recorded and admitted to probate as a Will of Real and Personal Estate, and that Letters Testamentary thereon be granted to Addie E. Underwood ^{of Administration with the Will annexed}

~~execut~~ named in said last Will and Testament, on her taking and subscribing the oath of office prescribed by law, and in all other respects complying with the laws of the State of New York.

WHEREUPON, On the 23rd day of August 1912, the said ^{Administratrix} ~~court~~ having taken and subscribed the oath of office prescribed by law (which oath is duly filed by me) and otherwise complied with the requirements of the law, it is further ordered that administration of all and singular the goods, chattels and credits of the said deceased in any way concerning said Will be granted to Addie E. Underwood ~~execut~~ named in said Will, it is further ordered, on the application of the said execut as aforesaid, that of the of and of the two disinterested persons residing in said County of Chautauqua, be appointed appraisers of the personal estate of said deceased.

(L. L.)

In Testimony Whereof, I, HARLEY N. CROSBY, Surrogate of said County of Chautauqua N. Y. have hereunto set my hand and seal of office this 23rd day of August 1912.

Harley N. Crosby SURROGATE.