

In the name of God Amen: I Charles P. Bayne of the Town and County of Chautauque and State of Vermont being of sound mind and memory and considering the uncertainty of this frail and transitory life, do therefore make, ordain, publish and declare this to be my last Will and Testament, that is to say:

After all my lawful debts are paid and discharged, I give and bequeath all my Real Estate and all my Personal Property and Estate of every description jointly and equally to my two sons Henry C. Bayne and Herman P. Bayne to have and to hold to them and their heirs and assigns forever. Subject however to the payment by them of the following Legacy which I give and bequeath to my son George R. Bayne, to-wit: Four Hundred Dollars to be paid to him as follows:

One Hundred Dollars five years after my decease, and One Hundred Dollars annually thereafter until the said Four Hundred Dollars are paid to the said George R. Bayne, and direct that said Legacy draw no interest unless payment is delayed after the same becomes due and payable and then only for each time as said payment is so delayed, and I further state it as a recommendation only that my said son George R. Bayne apply said legacy in payment upon a certain Mortgage that Martin P. Burdett holds against him and upon his land.

I also give said Legacy to my sons Henry C. and Herman P. Bayne subject to the payment of all my funeral expenses and the erection at my own and my late wife's grave of suitable and proper Tomb stone and Monument, and I further direct that my Executor procure and pay for a suitable family burial lot in the new cemetery lands of the Cemetery in the Village of Mayville N.Y. and remove the remains of my said wife to said lot and bury my remains by her side and erect said Tomb Stone or Monument at our grave in said lot.

Provided my said sons Henry C. & Herman P. should divide said property Real & Personal at any time after the payment of said Legacy and debts or at any time before the payment of the same, I direct that Herman P. shall have Four Hundred Dollars more than Henry C. receive unless they otherwise agree to divide the same.

I do hereby constitute and appoint my two sons Henry C. Bayne & Herman P. Bayne to be Executors of this my last Will & Testament, hereby revoking all former Wills by me made, And Witness Hereof I have hereunto subscribed my name and affixed my seal the third day of June in the year of our Lord one thousand eight hundred and seventy eight.

C. P. Bayne. S.S.

The above written instrument was subscribed by the said Charles P. Bayne in our foreeyes and acknowledged by him to each of us and he at the same time declared the above instrument to be subscribed to be his last Will and Testament and we at his request have signed our names as witnesses here to in his foreeyes and in the presence of each other and written opposite our names our respective places of residence.

Joseph Posters Residence Chautauque Town and County N.Y.
 Horace E. Smith Residence Chautauque Town and County N.Y.

Recorded the foregoing last Will & Testament of Charles P. Bayne deceased and compared the same with the original Will this 9th day of July 1878.

C. S. Maples
 Surrogate.

In the matter of the Estate of Charles P. Baujiau } **At a Surrogate's Court**, held at Mayville in and for the
County of Chautauqua, on the 27 day of June 1878
deceased. Before Hon. Charles G. Maples Esquire, Surrogate of said County.

On the day and year, and at the place aforesaid Henry B. Baujiau & Herman B. Baujiau Executors named in the last Will and Testament of Charles P. Baujiau late of the town of Chautauque in said County, appeared and offered the said Will for probate, and made satisfactory proof before the said Surrogate, that the said deceased died on the 24 day of June 1878. That at the time of his death he was an inhabitant of Chautauque County, N.Y.

That he died leaving a last Will and Testament, which is now exhibited in the said Surrogate's Court, which bears date on the 2 day of June 1878; 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 ages and places of residence, as nearly as can be ascertained, viz:

Said deceased left him surviving
George R. Baujiau (son) Chautauque Chaut. Co. N.Y.
Henry B. Baujiau " " " " " "
Herman B. Baujiau " " " " " "

Therefore, Ordered, 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 Will, before the said Surrogate, at his office in Mayville on the 2 day of July 1878, at ten o'clock in the forenoon.

L. S.

In TESTIMONY WHEREOF, I have hereunto set my hand and seal of office, this 27 day of June 1878.

C. G. Maples Surrogate.

In the matter of the Estate of Charles P. Baujiau } **At a Surrogate's Court**, held at Mayville in and for the
County of Chautauqua, this 2 day of July 1878
deceased. Before Hon. Charles G. Maples Surrogate of said County.

On the day and place aforesaid Henry B. Baujiau & Herman B. Baujiau Executors of the last will and testament of Charles P. Baujiau late of Chautauque deceased, appeared and prayed that the said will be admitted to probate, and exhibited the following proofs:

First, Due service of the citation heretofore issued, upon all the heirs and next of kin of said deceased.

Whereupon the following witnesses being duly sworn, testified as follows:
Chautauque County, ss:

John Rodgers of the town of Chautauque being duly sworn, doth depose and say: that he is a subscribing witness to the last will and testament of the said deceased; that the said testator did, in the presence of this deponent, subscribe his name at the end of the instrument which is now shown and exhibited to said, and which purports to be the last will and testament of the said Charles P. Baujiau and which bears date on the 2 day of June in the year one thousand eight hundred and seventy eight and this deponent further saith, that the said Testator did, at the said time of subscribing his name as aforesaid at the end of the said will, declare the said instrument so subscribed and now exhibited, to be his last will and testament; and this deponent and Charles O. Smith did thereupon subscribe their names at the end of the said will as attesting witnesses thereto, in the presence and at the request of the said Testator. And this deponent further saith, that at the said time when the said Testator subscribed his name to the said last will as aforesaid, and at the time of this deponent's subscribing his name as an attesting witness thereto as aforesaid, the said Testator was of sound mind and memory, of full age to execute a will, and was not under any restraint, and that the will now appears in all respects as when so executed, without any alteration whatsoever.

John Rodgers

Chautauqua County, ss:

Charles E. Smith of the town of Chautauqua being duly sworn, doth depose and say: that he is a subscribing witness to the last will and testament of the said deceased; that the said testator did, in the presence of this deponent, subscribe his name at the end of the instrument which is now shown and exhibited to us, and which purports to be the last will and testament of the said Robert B. Baugman and which bears date on the 3rd day of June in the year one thousand eight hundred and eighty and this deponent further saith, that the said Testator did, at the said time of subscribing his name as aforesaid at the end of the said will, declare the said instrument so subscribed and now exhibited, to be his last will and testament; and this deponent and John Rodgers did thereupon subscribe their names at the end of the said will as attesting witnesses thereto, in the presence and at the request of the said Testator. And this deponent further saith, that at the said time when the said Testator did subscribe his name to the said last will as aforesaid, and at the time of this deponent's subscribing his name as an attesting witness thereunto as aforesaid, the said Testator was of sound mind and memory, of full age to execute a will, and was not under any restraint, and that the will now appears in all respects as when so executed, without any alteration whatsoever.

Charles E. Smith

WHEREUPON. I, the Surrogate aforesaid, upon the proof aforesaid being satisfied of the genuineness and validity of said Will, do therefore order that the same be admitted to Probate, and that Letters Testamentary thereon be granted to Henry C. Baugman & Norman B. Baugman executors in the last will and testament named on this taking and subscribing the oath of office prescribed by law.

WHEREUPON. On the third day of July 1878, the said executor Henry C. Baugman & Norman B. Baugman having taken and subscribed the oath of office prescribed by law, which oath is duly filed by me, it is further ordered that administration of all and singular the goods, chattels and credits of the said deceased, and any way concerning said will be granted to Henry C. Baugman & Norman B. Baugman executors in the said will named. It is further ordered, on the application of the said executors as aforesaid, that and two disinterested persons of the town of Maxville in said County of Chautauqua, be appointed appraisers of the personal estate of said deceased.

In Testimony Whereof, We have caused the seal of office of the said Surrogate to be hereunto affixed.

Witness, John Charles G. Maple, Esquire, Surrogate of the said County, at Maxville this 9th day of July 1878.

John Charles G. Maple Surrogate.

Recorded and Examined this third day of July 1878.

John Charles G. Maple Surrogate.

At a Surrogate Court held at Mayville
in and for Chautauque County N.Y.
this 2^d day of February 1885.

Present Hon^{ble} Daniel Sherman Surrogate.

In the case of the accounting of
Henry C. Baugman and Herman C.
Baugman Executors of the Will
of Charles P. Baugman deceased.

On this 2nd day of February 1885 personally
appeared Henry C. Baugman and Herman C. Baugman Executors of the
Will of Charles P. Baugman deceased and presented a Petition duly
verified setting forth that more than twelve months had elapsed since
the time of their appointment as such Executors, and prayed that they
might be allowed to render a judicial settlement of their accounts
as such Executors and be finally discharged.

Whereupon said Executors having first presented due executed
warrants of service of citation from all persons interested in said
estate presented an account of their proceedings with the receipts and
vouchers thereof of which the following is a Summary Statement made
pursuance of the Statute in such case made and provided:

Said Executors are charged with Total Receipts	\$625.00
And are credited by said	
General Expenses of deceased's Wife	\$177.40
Administrators expenses	16.33
Commissions	31.25
George R. Baugman Specific Legacy	400.00
	<u>625.00</u>

It appearing to the satisfaction of said Surrogate that none of the assets
or property of said estate remain in the hands of said Executors.

It is therefore hereby Ordered Adjudged and Decreed that Henry C.
Baugman and Herman C. Baugman be and they hereby are fully discharged from
all further liability of the trust reposed in them as Executors of the Will
of Charles P. Baugman deceased.

In witness whereof I have hereunto set my
hand and seal of Office this 2^d day of February 1885.
Daniel Sherman Surrogate.