

6  
The it is remembered that heretofore being  
on the 23<sup>rd</sup> day of July, A.D. 1849, before James  
a Justice or Justice named in the last will & testament  
of Mary Dowler late of Amboy, in Oswego County, New  
York, appeared in open court before Orla H. Whitney  
Judge of Oswego County and made application  
to have the said last will & testament which relates to  
both real and personal estate proved; and on such  
application the Judge did ascertain by satisfactory  
evidence who were the heirs and next of kin of the  
said testatrix and their respective residences and  
some of them appearing to be minors having no  
general guardian within the state of New York a  
special guardian was appointed in due form of law  
to take care of their interests in the matter approving  
the said will by an order entered for that purpose  
by said Judge and said Judge did thereupon issue  
a citation in due form of law directed to the said  
heirs and next of kin and special guardian by  
their respective names stating their respective places  
of residence requiring them to appear before said  
Judge at his office in the town of Mexico on  
the twentieth day of November then next to  
attend the probate of the said will. And after  
wards forth on the said twentieth day of November  
satisfactory evidence by affidavit was produced and  
presented to said Judge of the service of the said  
citation in the mode prescribed by law, and  
on that day no one appearing to oppose the  
probate of such will such proceedings were thereupon  
had afterwards that the County Judge took the proof  
of the said will hereinafter set forth, upon  
this third day of December A.D. 1849, and  
he adjudged the said will to be a valid will  
of real and personal estate, and the proof  
thereof to be sufficient, which said last will  
and testament and proofs are as follows, to wit:  
is to say:

In the name of God Amen I Mary  
Dowler of Amboy being of sound mind do  
hereby make and declare this my last will and  
testament, that is to say, After my death the charges  
attending my last sickness, funeral are to be paid  
out of the property I may leave, and I give and  
bequeath to my daughter Lydia Burdick and

Peter Lawrence, severally one dollar, to my son Arthur  
I give one cent, as he has not been kind to me, and  
to my son George and my daughter Susan Chapman Rebecca  
Sutton & Polly Patterson I give the rest and residue of  
my property to be paid to them by my Executors hereinafter  
named, share & share alike; And I hereby appoint  
Phineas Sawyer & Jay Hathaway my Executors to this my  
last will and testament.

In witness whereof, I the said testatrix do hereto  
set my hand and seal this 23<sup>rd</sup> day of October 1840

Mary Dowler S.S.  
Mark

Signed, sealed, pronounced and declared by the said  
Mary Dowler as her last will and testament, in the presence  
of us the undersigned, and in the presence of each other

Wally L. Pease  
Chas. W. Hayden  
James W. Hills

"Amboy" interested.

Oswego County Surrogate Court  
In the matter of proving the last  
will and testament of  
Mary Dowler deceased

Oswego County ss: George Dowler of Orleans Jefferson  
County, being duly sworn and examined before Orla  
H. Whitney County Judge of the County of Oswego, doth depose  
and say that he has made diligent and enquiring after  
James W. Hills a witness whose name is subscribed  
to the end of the last will & testament of Mary Dowler  
late of Amboy deceased, bearing date the 23<sup>rd</sup> day  
of October 1840, and was unable to find said  
Hills or learn his place of residence, that this  
deponent has made enquiry for said Hills at  
Watertown Jeff. Co. at Rome and Utica & in  
Oswego County and can learn nothing as to the said  
Hills being or residence with any degree of  
certainty, that this deponent said Moses Cook  
in the City of Utica, who was well acquainted  
with the said Hills, and said Cook told this  
deponent that he saw said Hills about one  
year and a half ago, and that said Hills then