

That it is manifest, that the said testator
 on the sixth day of July A.D. 1849 being sound
 of mind and of legal age in the last will & testament
 of Mary Dowler late of Amboy in Oswego County New
 York appeared in open court before Orla K. Whitney
 now 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 of proving
 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 proofs
 thereof to be sufficient, which said last will
 and testament and proofs are as follows. That
 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

Betsy 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 Nancy 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
 Thomas Slawry & Jay Hathaway my Executors to this my
 last will and testament.

In witness whereof, I the said testatrix do hereunto
 set my hand and seal this 23^d day of October 1840
 My
 Mary X 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 J. Pease "Amboy" interlined.
 Chas. W. Hayden
 James M. Hills

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
 K. Whitney County Judge of the County of Oswego, doth depose
 and say that he has made diligent and enquiry after
 James M. 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^d day
 of October 1840, ~~but has been 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 Romi and Utica & Oneida
 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 his
 deponent that he saw said Hills about one
 year and a half ago, and that said Hills then