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told said Cook that he was intending to leave  
the state of New York for the State of Pennsylvania  
which is all the information this deponent can  
obtain concerning the said witness Hills - that  
the said Hills is an unmarried man, and his  
mother resides in Chicago Michigan State.

And this deponent is son of said Mary Dowler  
deceased and further says not.

Sworn before me this 3<sup>d</sup> day of  
Dec. 1849 the same having been carefully  
read over to said deponent & he having  
affixed his mark being unable to  
write.

George T. Dowler  
Mark

C. H. Whitney Cordeur &c

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

Oswego County Judge Jay Hathaway of the Village  
of Rome in the County of Oneida in the State  
of New York being duly sworn and examined  
before Clerk H. Whitney County Judge of Oswego County  
doth depose and say that he this deponent was  
well acquainted with Mary Dowler late of the  
town of Auburn in the County of Oswego now  
deceased. That this deponent drew the instrument  
now produced and shown to this deponent purporting  
to be the last will and testament of Mary Dowler  
deceased bearing date the 23<sup>d</sup> day of October A.D.  
1840 that this deponent was present and saw the  
said Mary Dowler execute the same at the time  
the same bears date. And this deponent further  
says that the testatrix at the same time declared  
the instrument to be her last will and testament.  
That thereupon Willys J. Pease Charles W. Hayden  
and James M. Hills subscribed their names at the end thereof  
as witnesses thereto, at the request of the testatrix  
and in her presence. And that the said testatrix  
at the time of executing and publishing the said  
last will and testament was a citizen of the United  
States of full age & of sound mind and memory

and not under restraint, and was in all respects  
competent to make a last will and testament.

And this deponent further says that he has examined  
the said last will and testament to day and that it has in  
no respect been altered or changed since it was so drawn  
by him and executed by the said testatrix as aforesaid. That  
the said testatrix executed the same by making her mark  
and this deponent wrote her name as the same appears in the  
said will. That the said Willys J. Pease Charles W. Hayden  
and James M. Hills who subscribed the said will as  
witnesses were then in the employ of this deponent. That he  
this deponent is well acquainted with each of said subse-  
quent witnesses and with each of their hand writings  
and that their names signed to said will is in their  
proper hand writings and this deponent says that he  
in each of said witnesses signs his name thereto. That  
it was done in deponent's presence and in the presence of  
the testatrix and at her request. And this deponent further  
says that the said witness Willys J. Pease is dead, and  
that the witness Charles W. Hayden now resides in California  
and is not a resident of the State of New York. And this  
deponent further says that the said witness Hills left this  
deponent's employ some six or seven years since and  
that he has no knowledge where he now resides. And  
that this deponent has made repeated enquiries for  
said Hills at Rome of those who formerly knew him  
and have been unable to find where he now resides.  
That he left Rome some years since. That said Hills  
was then a single man and was when he left  
Rome that he has a mother who sometimes resides at  
Chicago, and some times at Jefferson Co. in this State.  
That the said will remained in the possession of this depo-  
nent all the time after it was drawn and signed as  
aforesaid until the same was called for since the  
testatrix's death to hand over to the surrogate for probate.  
And further this deponent says that the said testatrix  
at the time of her death was a resident and in-  
habitant of Auburn Oswego County New York. And  
further this deponent says not.

Subscribed and sworn to before me  
this 3<sup>d</sup> day of December 1849

Jay Hathaway

C. H. Whitney Co. Judge of Oswego Co.