

told said Cook that he was intending to leave the state and work 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^d day of Dec. 1849 the same having been carefully read over to said deponent & he having affixed his mark being unable to write.

his
Geo. F. Dowler
Mark

J. H. Whitney Cordege &c

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

Orange 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 John H. Whitney County Judge of Orange County doth depose and say that he this deponent was well acquainted with Mary Dowler late of the town of Anthony in the County of Orange 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^d 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 executed by her for her last will and testament: that thereupon Willy 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 me 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 Willy 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 subscribing 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 saw each of said witnesses sign 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 Willy 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 inquiries 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 sometimes at Jefferson Co. in this State: that the said will remained in the possession of this deponent all the time after it was drawn and signed as aforesaid until the same was called for since the testatrix's death to be handed 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 inhabitant of Anthony Orange County New York: and further this deponent says not.

Subscribed and sworn to before me
this 3^d day of December 1849

Jay Hathaway

C. H. Whitney Co. Judge of Orange Co.