

prior to this marriage had previously married.

I am not already testified to the only issue of said Charles W. Hitchcock and Martha T. Hitchcock.

On the 20th day of March 1894 when said child was exhibited, the said deceased Martha T. Hitchcock was over the age of 18 years, being of the age of 70 years or thereabouts, and was of sound and disposing mind and not acting under undue influence, coercion, fraud or any fraudulent representation or in any respect incompetent to devise and bequeath her estate.

B. St. Cat.

Olivia Clarke Gt.

Subscribed and sworn to in open Court before me this 12th day of September, A.D. 1899

John J. Deane Clerk

By Geo. R. McChesney Deputy Clerk

In the Superior Court of the State of California in and for the City and County of San Francisco.

In the Matter of the Estate of

Martha T. Hitchcock
Deceased

Witnesses of
Subscribing Witnesses

State of California :
City and County of San Francisco : s.s.

I, Mary Elizabeth of San Francisco, age and a competent person, being duly sworn in open Court, testify as follows:

I reside in the City and County of San Francisco, State of California, and being of the age of 41 years, I know Martha T. Hitchcock on the 20th day of

now shown to me, married as filed in this Court on the 30th day of August 1899 purporting to be the last Will and Testament of said Martha T. Hitchcock, Deceased.

I am one of the subscribing witnesses to said instrument.

I also know of the date of said instrument Eugene R. Gachet and Louis S. Lissak, the other subscribing witnesses to said instrument.

The said instrument was signed by the said Martha T. Hitchcock at her apartments in the Palace Hotel in said City and County of San Francisco on the said 20th day of March 1894, my day of birth (that is in the presence of myself and said Eugene R. Gachet and Louis S. Lissak. And said Martha T. Hitchcock thereupon published the said instrument or and declared to us the names to be her last Will and Testament, and requested us in attestation thereof to sign the same as witnesses.

The said Eugene R. Gachet, Louis S. Lissak and I then appeared in the presence of the said Martha T. Hitchcock and in the presence of each other, subscribed our names as witnesses to the said instrument.

At the time of the execution of said instrument to wit on the 20th day of March 1894, said Martha T. Hitchcock was over the age of 18 years, being of the age of 70 years or thereabouts, and was of sound and disposing mind and not acting under undue influence, coercion, fraud, or any fraudulent representation or in any respect incompetent to devise and bequeath her estate.

Date but for many years prior to this
I am perfectly familiar with and
know the hand-writing and the signa-
ture, Paul Martin V. Titchener.

8 had frequently seen her write and
seen writings purporting to be hers,
upon which she has fasted, and
which she has recognized as not admitted
to be her own, and says thus acquired
a knowledge of her hand-writing.

The papers shown are, namely, the instrument filed in this Court on the 30th day of August 1899 purporting to be her last Will & I believe to be such and I assert is entirely untrue, falsified and signed by the hands of the said Martha F. Hitchcock herself.

I was intimately acquainted with said Eugene R. Carber, who is one of the subscribing witnesses to said Will. I have frequently seen him with and seen writing purporting to be his, upon which he has acted & upon which he has recognized as and admitted to be his own, & have thus acquired a knowledge of his handwriting.

I do hereby assert and declare the signature of Eugene R. Gaskin subscribing to said instrument is in the handwriting of said Eugene R. Gaskin and in his signature and in said signature and name in my presence on said 30th day of March 1896. Said Eugene R. Gaskin lives in the City and County of San Francisco in the month of July 1896.

J. Harry Erickson Not.

Subscribed and sworn to in open Court before me
this September 12th day of September
A.D. 1899.

By Jas. R. McElroy, Deputy, Clerk

On the Superior Court of the State of
California in and for the City and County
of San Francisco.

On the Matter of the Estate of }
Martha P. Kitchen, dec'd }
District of Columbia }
Vtitors }

State of California } 8.9.
City and County of San Francisco }

I Lewis S. Lissard of lawful age and
a competent person being duly sworn
in open Court testifies as follows:

I reside in the City and County of San Francisco, State of California and am of the age of about 50 years. I have Maxine V. Hutchinson on the 20th day of March 1894 the date of the instrument now shown to me, ~~marked~~ marked as filed in this Court on the 30th day of August 1890 purporting to be the last Will and Testament of said Maxine V. Hutchinson, Deceased.

I am one of the subscribing witnesses to said instrument. I am also at the date of said instrument Oregon & Garret and H. Gary, witnesses, the other subscribers and witnesses to said instrument.

The said instrument was signed by the said
Martha F. Hitchcock at her apartment in the
Palace Hotel in said City and County of San
Francisco on the said 10th day of March
1894, the day it being duly in the
presence of Joseph and Mrs. Joseph C.
Garber and J. Carl Gustafson. And again
Martha F. Hitchcock thereupon subscribed the
said instrument as just described to
the agent to be hereunto subscribed
and registered as an authentic
copy of the same with the
said agent.