

(54)

Will of the late James Bailey
of Norwich of County of New York deceased

Publ. for: Mr.

W. L. Lapham

Judge Surrogate of

Brookfield

The Inventory and Appraisal of the Personal Estate
of the late James Bailey (Esq)

One Span of Work Horses	16	5
two Colts £10 ^{1/2} one Colt £2. 10 ^{1/2}	12	10
one Yoke of Oxen £8. 15 ^{1/2} 30 Sheep 5 ^{1/2} per head	16	5
six Cows. £15 ^{1/2} two Heifers £3. 15 ^{1/2}	18	15
two Calves £3 ^{1/2} thirty three ^{1/2} June £8 5 ^{1/2}	11	5
one Waggon £3. 15 ^{1/2} one Waggon £12. 10 ^{1/2}	16	5
one Cultivator £1 ^{1/2} three Ploughs - £3 5 ^{1/2}	4	5
one Farming Mill £3. 15 ^{1/2} 20 Bushels Wheat @ 1 ^{1/2}	7	10
30 Bushels of Oats @ 1 ^{1/2} 15 Bushels of Barley @ 1 ^{1/2}	2	5
30 Bushels of Wheat in the Straw at 1 ^{1/2} per bush	4	10
15 Bushels of Corn @ 1 ^{1/2} 12 Loads of Hay £1 ^{1/2} per Load	13	2 6
20 Bushels of Peas @ 1 ^{1/2} one Cutter £6 5 ^{1/2}	7	15
Mechanical Tools £7. 10 ^{1/2} 1 Table £1. 10 ^{1/2}	9	" "
1 Table of Mahogany £2 5 ^{1/2} 1 black £1. 5 ^{1/2}	3	15
1 Stand of Books 10 ^{1/2} Looking Glass 10 ^{1/2}	1	5
2 Bed Steads £1. 10 ^{1/2} 2 Desks £2 ^{1/2}	3	10
2 Beds & Bedding £5 ^{1/2} 3 Beds & Bedding £3. 15 ^{1/2}	8	15
Note of Hand for £12. 10 ^{1/2} 2 Spring Wheels £1 ^{1/2}	13	10
3 pair Nettle 10 ^{1/2} 6 pair Nettle £1. 5 ^{1/2} 1 Washboard £2 ^{1/2}	3	15
Iron Carthage & Tin utensils for the use in the house	3	10
1 Gun £2. 10 ^{1/2} 1 Barrel Post £2. 10 ^{1/2}	5	" "
Casks & Tubs £1. 5 ^{1/2} 175 ^{1/2} Smoke heat £7. 10 ^{1/2}	8	15
Kitchen & Table Furniture	3	15

Witnessed 5th March
1847

Spencer Cook
Nehemiah Seckvick

Sarah Harley
Edmund Sells

IN THE SURROGATE COURT.

PROVINCE OF CANADA,
DISTRICT OF BROOK,
WOODSTOCK, TO WIT:

YOU *John Arthur Fidey of the Township of Norwich in the District of Brook with Names aforesaid Ephraim Cook*
of the *Township* of *Norwich*

in the District of *Brook* and Province of Canada, *Physician* *one* *two*
of the subscribing witnesses to the last Will and Testament of the late *James Bailey late*

in the District of *Brook* and province aforesaid *Yeoman*
Deceased, do swear that you were personally present and did see the said *James Bailey*

sign, seal, publish and declare the *Will*
now shown to you as his *last Will and Testament*; and you the said *John Arthur Fidey*
and Ephraim Cook do further swear that the names *John A Fidey Ephraim*
Cook and William B Seale

which appear as Witnesses to the last Will and Testa-
ment of the said *James Bailey* are the proper handwriting of them the said
John Arthur Fidey Ephraim Cook and William B Seale

who together with you signed their names in the presence of the said testator and at his special instance and request; and you likewise further swear that you verily believe that the said *James Bailey* at the signing of the said last Will and Testament was of sound mind, memory and understanding.

So Help You GOD.

Sworn before me at Woodstock, this *eight*
day of *March* 1847
W. Laprise
Surrogate District of *Brook*

IN THE SURROGATE COURT.

PROVINCE OF CANADA,
Brook DISTRICT,
Woodstock, to wit:

YOU *Edmond Deeds of the Township of West Argyle in the District of Brook Esquire and James Bailey*
of the *Township* of *Norwich*

in the *District* of *Brook*
and Province of Canada, *Widow* do swear that you are the persons named in the
last Will and Testament of the late *James Bailey late*
of the *Township* of *Norwich* in the *Brook* District, and

Province aforesaid. *Yeoman* deceased as Executor *and* *Administrator* thereto,
that you believe the paper now shown to you to be the said last Will and Testament of the said Deceased; that you will pay all the debts and legacies of the said deceased so far as the Goods and Chattels shall extend, and the law shall bind you, and that you will exhibit a true, full, and perfect Inventory of all and every the goods and chattels, Rights and Credits of the said deceased, together with a just and true account into the Registry of the said Surrogate Court, when you shall be thereto lawfully required--

So Help You GOD.

Sworn before me at Woodstock, this *eight*
day of *March* 1847
W. Laprise
Surrogate District of *Brook*

IN THE SURROGATE COURT.

District of Brock, Canada West.

WOODSTOCK, }

TO WIT: }

Sarah Bailey

Of the Township of *Starrick* District of *Brock* and Province

Ontario aforesaid, maketh oath and saith that *James Bailey late of the Township*

of Starrick deceased

departed this life on or about the *twenty first* day of *February*
in the year of our Lord one thousand eight hundred and *forty seven* and that to
the best of *her* knowledge and belief, as far as *she* hath been able to discover
the Goods and Chattels, Rights and Credits of the said deceased, within the said District
of *Brock* did not exceed the sum of *Three hundred*

Pounds Currency.

Sarah Bailey

Sworn before me at Woodstock, this *eight* day of *March* 1847.

W. Lapointe

Surrogate. District of Brock.

Canada West

Diocese of Brock
of James Bailey Esq of the Township of Norwich County of
Essex and Province of Canada (his former deceased)

In the Surrogate Court

Probate of the last will and Testament
of the Township of Norwich County of Essex and Province of Canada (his former deceased)

In the Name of God Amen I James Bailey
of the Township of Norwich County of Essex and Province of Canada
and Province of Canada (his former deceased) being of the present
sound and disposing mind full of sound and disposing mind
thanks be to God for the same, do make my last will
and Testament in manner and form following that to wit

First - I will and direct that all my just debts and funeral expenses
be paid out of my personal estate as soon as conveniently may
be after my decease

Second - I will and bequeath unto my son John Bailey Bailey when
he shall arrive at age, all my lands goods and chattels, all
my real and personal estate whatsoever to have and to
hold the same unto my said son John Bailey Bailey
his heirs and assigns for his and their sole use and benefit
for ever charged nevertheless with the performance etc thereof
Following date and the payment of the same

Third - The said John Bailey Bailey shall support myself and my
wife Sarah Bailey with all the necessary comforts and conveniences
of life so long as he or either of us enjoy life in the house and
from the property on which we now reside, and this provision
to my said wife I intend to be in lieu of dower.

Fourth - In one year from the time of the decease of my wife it is my
will that her funeral expenses and all remaining debts shall

James Bailey
Witness my hand and seal this 1st day of
the month of

Checked with Sarah West
The witness
Sarah West

Second - I will and bequeath unto my son John Wesley Bailey when he shall arrive at age, all my lands goods and chattels, all my real and personal estate whatsoever, to have and to hold the same unto my said son John Wesley Bailey his heirs and assigns. As his and their sole and lawful executor, administrator and assigns, with full power for ever charged nevertheless with the performance of them in following duties and the payment of the same.

Third - The said John Wesley Bailey shall support myself and my wife Sarah Bailey with all the necessary comforts and conveniences of life, so long as we or either of us shall live in the house and from the property on which we now reside, and this provision to my said wife I intend to be in lieu of Dower.

Fourth - In one year from the time of the decease of my wife it is my will that her funeral expenses and all remaining debts shall be paid and discharged out of my personal estate.

Fifth - I give and bequeath unto my son James Bailey the sum of one hundred pounds to be paid to him in yearly instalments of twenty five pounds each without interest, the first instalment thereof to be made one year after the decease of my wife and so to continue yearly until the whole is paid but not to exceed.

Sixth - I give and bequeath unto my son William Bailey the sum of one hundred pounds to be paid to him in yearly instalments of twenty five pounds each without interest, the first payment thereof to be made in five years after the decease of my wife and so to continue yearly until the whole shall be paid but not to exceed.

Seventh - It is to be understood that I have given to my son Thomas in my life time a fair and reasonable portion of my estate with which I trust he will be fully satisfied.
James Bailey
Wm Bailey

Eighth - I give and bequeath unto my son Samuel Bailey the sum of twenty five pounds to be paid to him in equal annual instalments of twenty five pounds each, the first payment thereof to be made to him in nine years from the decease of my said wife and so to continue yearly until the whole twenty five pounds be paid without interest.

Ninth - It is my will that my son David Bailey shall be under the charge and care of my said son John Wesley Bailey who shall furnish my said son David during the life of my said son David with the fair and reasonable necessaries and comforts of life.

Tenth - I give and bequeath unto my grandson William Bailey Thompson and Sarah Jane Thompson, twenty five pounds each to be paid to them after all the rest of my bequests and legacies here in before and herein after mentioned shall be paid up and discharged, at the rate of twelve pounds and ten shillings each annually, without interest.

Eleventh - I give and bequeath unto my daughter Sarah, the wife of William B Seales the sum of fifty pounds to be paid to her in two equal yearly payments, the first of which to be paid at the end of twelve years after the decease of my wife, without interest and the second payment in the year after without interest.

Twelfth - I give and bequeath unto my daughter Jane the wife of Robert Storer the sum of fifty pounds to be paid to her in two equal annual instalments without interest, the first payment of which to be made fourteen years after the death of my said wife, and the second in one year afterwards.

Thirteenth - I give and bequeath unto my daughter Martha Bailey two beds and Bedding two Wickers and two

before were received in. Inturposed. and ten shillings each
discharged, at the rate of twelve pounds and ten shillings each
annually without interest.

Eleventh - I gave and bequeath unto my daughter Sarah, the wife
of William B. Seales the sum of fifty pounds to be paid to
her in two equal yearly payments the first of which to be
paid at the end of twelve years after the decease of my wife,
without interest and the second payment in the year after without interest.

Twelfth - I gave and bequeath unto my daughter Jane the wife of
Robert Storer the sum of fifty pounds to be paid to her in
two equal annual instalments without interest the first
payment of which to be made fourteen years after the death of
my said wife, and the second in one year afterwards.

Thirteenth - I gave and bequeath unto my daughter Martha
Bailey two beds and Bedding two Trifles and seven shillings to
be given to her at the time of her Marriage, I also gave and
bequeath to my said daughter Martha the sum of fifty
pounds to be paid to her in two equal annual instalments
without interest; the first payment thereof to be made
in sixteen years after the decease of my wife, and the second
in one year afterward both payments to be made without interest.

Fourteenth - The above legacies are all to be paid by my said son
John Trevelly Bailey; or by his heirs or assigns out of the
property so left and bequeathed to him his heirs and assigns
forever as afore said.

Fifteenth - It is my will that no claim whatsoever except for the
above legacies shall be brought against my estate by

(Signed) James X Bailey
Mark

Copy

any of my heirs or legatees and if any such claim shall be brought the legacy left to any such claimant shall be forfeited and not paid

Sixteenth - It is my will that my respected friend Edmund Deedes Esq. shall read this my will openly and publicly at the time of my funeral -

Seventy - I hereby nominate, constitute and appoint Edmund Deedes Esquire of the Township of West Ceyford and my wife Sarah Bailey to be executor and executrix to this my will and when my son John Peasley with them, be an executor to this my will. I hereby depositing my utmost confidence in my friend Edmund Deedes that he will see that all the requirements and intentions of my will be observed and carried out. And whatever disputes, difficulties, misunderstandings or questions may arise in reference to my will, or the intent or meaning of the same, I desire and will that they may all be referred to and decided by my respected friend and executor the above named Edmund Deedes Esquire

In Witness whereof I have to this my will contained upon three sheets of paper to the two first sheets affixed my hand and to the last

with them, be an executor to his my will. Merely relying
my utmost confidence in my friend Edmund Deedes
that he will see that all the requirements and intentions
of my will be observed and carried out. And whatever
disputes, difficulties, misunderstandings or questions
may arise in reference to my will, or the intent or
meaning of the same, I desire and will that
my will be referred to and decided by my respected
friend and executor the above named Edmund
Deedes Esquire

In Witness whereof I have to this my
will contained upon three sheets of paper to the two
first sheets affixed my hand and to the last
sheet set my hand and seal this twentieth day of
February in the year of our Lord one thousand eight
hundred and forty seven.

Alfred, sealed, published and declared
by the said James Bailey the Testator as and
for his last will and Testament in the
presence and in the presence of and sight
of each other have hereunto subscribed
our Names as Witnesses.

Signed his
James X Bailey (M)

(Signed) John A Tiddy
" John B Seal

Copy

In the name of God, Amen. I James Bailey of the Township of Provincetown, County of Cotuit, District of Brock and Province of Canada (locally) Farmer, being at the present time feeble in Body, but of sound and disposing mind, thanks be to God for the same, do make my last will and testament in manner and form following, that is to say:

I will and direct that all my just debts and funeral expenses be paid out of my personal Estate as soon as conveniently may be after my decease.

I will and bequeath unto my Son John Wesley Bailey, when he shall arrive at age, all my lands goods and chattels; all my real and personal estate whatsoever; I have and to hold the same unto my said son John Wesley Bailey his heirs and assigns, To his and their sole use and benefit, for ever: charged nevertheless with the performance of the following duties, and the payment of the following legacies: The said John Wesley Bailey shall support myself and my wife Sarah Bailey, with all the necessary comforts and conveniences of life, so long as we or either of us may live, in the house and from the property in which we now reside; and this provision to my said wife I intend to be in lieu of Dower.

Fourth. - In one year from the time of the decease of my wife, it is my will, that her funeral expenses and all remaining debts shall be paid and discharged, out of my personal Estate.

Fifth. I give and bequeath unto my Son James Bailey, the sum of one hundred pounds to be paid to him in yearly instalments of Twenty five pounds each without interest: the first instalment thereof to be made in one year after the decease of my wife, and so to continue yearly until the whole is paid without interest.

Sixth. I give and bequeath unto my Son William Bailey, the sum of one hundred pounds to be paid to him in yearly instalments of Twenty five pounds each without interest: the first payment thereof to be made in five years after the decease of my wife, and so to continue yearly until the whole shall be paid without interest.

Seventh. - It is to be understood that I have given to my Son Thomas in my life time, a fair and reasonable portion of my Estate, with which I trust he will be fully satisfied.

Eighth. I give and bequeath unto my Son Samuel Bailey the sum of Seventy five pounds, to be paid to him in equal annual instalments of Twenty five pounds each; the first payment thereof to be made to him in three years from the decease of my said wife, and so to continue yearly until the

James Bailey
his mark

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whole seventy five pounds be paid without interest.

Ninth. - It is my will that my son David Bailey shall be under the charge and care of my said son John Wesley Bailey who shall furnish my said son David, during the life of my said son David, with the fair and reasonable necessaries and comforts of life.

Tenth. I give and bequeath unto my grandson, William Bailey Thompson, and Sarah Jane Thompson, twenty five pounds each, to be paid to them after all the rest of my bequests and legacies hereinbefore, and hereinafter mentioned shall be paid up and discharged, at the rate of twelve pounds and ten shillings each, annually, without interest.

Eleventh. I give and bequeath unto my daughter Sarah ~~Wesley~~, the wife of William B. Charles the sum of fifty pounds, to be paid to her in two equal yearly payments, the first of which to be paid at the end of twelve years after the decease of my wife, without interest, and the second payment in one year after without interest.

Twelfth. I give and bequeath unto my daughter Jane, the wife of Ephraim Stover. the sum of fifty pounds to be paid to her in two equal annual instalments without interest; the first payment of which, to be made fourteen years after the death of my said wife, and the second in one year afterwards thirteenth. I give and bequeath unto my daughter Martha Bailey two Bats and Bedding,

two Horses and seven sheep, to be given to her at the time of her marriage. I also give and bequeath to my said daughter Martha the sum of fifty pounds, to be paid to her in two equal annual instalments without interest; the first payment thereof to be made in sixteen years from the decease of my wife, and the second in one year afterwards, both payments to be made without interest.

Fourteenth. The above legacies are all to be paid by my said son John Wesley Bailey, or by his heirs or assigns out of the property so left and bequeathed to him his heirs and assigns for ever as aforesaid.

Fifteenth. It is my will that no claim whatsoever, except for the above legacies, shall be brought against my Estate, by any of my heirs or legatees, and if any such claim shall be brought, the legacy left to any such claimant shall be forfeited and not paid.

Sixteenth. - It is my will that my respected friend Edmund Perdes Esquire shall read this my will openly and publicly at the time of my funeral.

Lastly. - I hereby nominate constitute constitute and appoint Edmund Perdes Esquire of the County of West Oxford, and my wife Sarah Bailey to be Executor and Executrix to this my will, and when my son

James L Bailey
mark

John Wesley Bailey shall arrive as age, he shall also in connection with them, be an Executor to his
my will. Any by reposing my utmost confidence in my friend Edmund Deeds, that he will see
that all the requirements and intentions of my will be observed and carried out. And whatever
disputed, difficulties, misunderstandings or questions may arise in reference to my will, or the meaning
and meaning of the same, I desire and will that they may all be referred to and decided by my
respected friend and Executor the above named Edmund Deeds Esquire.

In witness whereof I have to this my will contained upon three sheets of Paper
to the two first Sheets affixed my hand, and to this last Sheet set my hand and seal
this twentieth day of February in the year of our Lord one thousand eight hundred and forty seven.

his
James Bailey
mark

Signed sealed published and declared
by the said James Bailey the Testator, as
and for his last Will and Testament, in
the presence of us, who as his agents, in
his presence and in the presence and sight
of each other have herunto subscribed our
names as witnesses.

John A. Tidy
Ephraim Cook
Wm B. Clark