

(2370)

A. C.

Mr. Clarke

Petition

filed 20<sup>th</sup> of June  
1857  
Fred. J.  
J. G. Stewart

By

To the Judge of the Superior  
Court of the County of Oxford  
County of Oxford  
Yecuit

The petition of Mary  
Clark of the Town of Woodstock  
in the County of Oxford Widow.

Respectfully Sheweth

That your petitioner is the Widow  
of James Clark late of the Town of Woodstock  
aforesaid Merchant deceased. That  
the said James Clark departed this life on the  
fourth day of April

That before and at the time of his death  
as aforesaid he carried on business as  
"Merchant" - That at the time of his death  
as aforesaid he was possessed of good  
chattel and credits of the value to the best  
of the my opinion of about five hundred  
pounds of lawful money of Great Britain

That since his death as aforesaid I  
have made due and thorough search amongst  
his books and papers and have been unable  
to discover any will or any instrument of  
any nature which would give instructions  
as to the disposition of his said property

I for this day that I have reason to believe  
and verily do believe that he did not at any  
time previous to his decease make any will  
or testamentary disposition of his said property  
to his executors

I for this day that I have good reason  
to believe and verily do believe that all the  
said

goods chattels rights and credits which  
were of the said ~~James~~ <sup>James</sup> Clark deceased at  
the time of his death as aforesaid have  
been and are within the County of Oxford  
aforesaid.

I further do represent that no  
letters of administration whatsoever have  
heretofore been issued in respect of the said  
estate of the said James Clark.

That your petitioner under the  
aforesaid names hereinbefore represented  
is anxious to become the grantee of letters  
of administration for the purpose of duly  
administering the said goods and chattels  
rights and credits of the said James  
Clark.

That your petitioner therefore  
petition your Honorable Court  
for an immediate grant of the said  
Letters.

And your petitioner will concur

Mary Clark

Know all Men by these PRESENTS, that we *Mary - Clark* of the  
 Town of *Woodstock* in the County of *Orford* London ~~the~~ *same*  
*Clark* late of *Woodstock* and *Joseph Smith* of the same place Merchant, deceased  
 and *Joseph Smith* of the same place Merchant and *Archibald Muir* of  
 the same place ~~Esquire~~  
 are held and firmly bound to ~~His Excellency Sir John A. Macdonald~~  
~~Her Most Excellent Majesty Queen Victoria~~  
*Sir William Eyre* Administrator of the Province of *Canada*  
 and to his Successor and Successors in Office, in the sum of *one thousand five hundred*  
 Pounds of lawful money of the said Province, to be paid to *Her Majesty Queen Victoria*  
~~Her Majesty Queen Victoria~~ or

Successors; for which payment, to be well and truly made, we bind ourselves  
 severally, our Heirs, and each of our Heirs, Executors, and Administrators, firmly by these  
 Presents. Sealed with our Seals, and dated at *Woodstock* in the  
 County of *Orford* this *twenty sixth* day of *June*  
 in the year of our Lord one thousand eight hundred and *fifty seven*

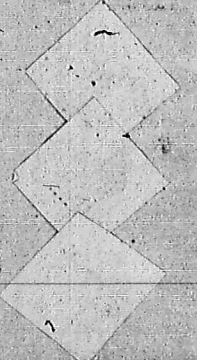
THE CONDITION of this obligation is such, that if the within bounden

*Mary - Clark*

Administratrix of all and singular the goods, chattels, and  
 credits of *James Clark* deceased, do make, or cause to be  
 made, a true and perfect inventory of all and singular the goods, chattels, and credits, of the  
 said deceased, which have or shall come into the hands, possession, or knowledge of *her*  
 the said *Mary Clark* or into the hands and possession of  
 any other person or persons for *her* and the same so made, do exhibit or cause to be  
 exhibited into the Registry of the ~~County of Orford~~ *County of Orford* on or before the *first*  
 Monday in *January* next ensuing, and the same goods, chattels, and credits,  
 and all other the goods, chattels, and credits of the said deceased, at the time of *his*  
 death, which at any time after shall come into the hands or possession of the said  
*Mary Clark* or into the hands  
 and possession of any other person or persons for *her* do well and truly administer  
 according to law, and further do make or cause to be made a true and just account of *her*  
 said administration, at or before the *last* *Monday* - day of *September* 1858  
 and all the rest and residue of the said goods, chattels, and credits, which shall be found  
 remaining upon the said Administratrix's account, the same being first examined and  
 allowed by the Judge of the Court for the time being, shall deliver and pay unto such person  
 or persons, respectively, as the said Judge by his decree or sentence, conformably to the  
 provisions in a certain Act of Parliament, intituled, "An Act for the better settling Intestate  
 Estates," and passed in the twenty-second and twenty-third year of the reign of Charles II,  
 and also in a certain Act passed in the first year of King James II, contained, shall limit and  
 appoint; and if it shall hereafter appear that any last Will or Testament was made by the  
 deceased, and the Executor or Executors therein named do exhibit the same into the said  
 Court, making request to have it allowed and approved accordingly, if the said *Mary -*  
*Clark* ~~Andrew Smith or Archibald Muir~~ within bounden, being thereunto  
 required, do render and deliver the said Letters of Administration (approbation of such  
 Testament being first had and made) in the said Court, then this obligation to be void and  
 of none effect, or else to remain in full force and virtue.

Signed and Sealed in presence of } *Mary Clark*

*Andrew Smith*  
*Geo. Rappin* }  
*A. B. Smith*



In the Surrogate Court of the County of Oxford,

*Andria Smith* of the Parish of *North*  
in the County of Oxford *North* and  
*Archibald Murtch* of the same place  
*Respondent*

SURETIES for the due administration of the estate of *James*  
*Clay* late of the Parish of *St. Michaels* of  
*North* in the County of *Oxford* deceased, severally made oath and say: And first the said  
*Andrew Smith* for himself saith that he is worth  
the sum of *one thousand* pounds of lawful  
money of Canada, all his debts being first paid: And next the said  
*Archibald Murtch* for himself saith that he  
is worth the sum of *one thousand* Pounds, of  
lawful money of Canada, all his debts being first paid.

Sworn before me at  
County of Oxford, this  
day of  
year of our Lord 1857  
in the  
by the said  
and

*Andrew Smith*  
*A. Murtch*

The above named respondents  
*Andrew Smith* and *Archibald*  
*Murtch* were severally sworn  
before me at *North* in the  
County of *Oxford* this 26 day  
of *May* 1857.

*W. Lapin*  
Judge Surrogate Court  
Oxford

*232*

*Mr. Carter*  
*Adm. & Bond*

*Filed the*  
*1857*  
*W. Lapin*  
*Surrogate*

In the Surrogate Court of the County of Oxford.

Province of Canada,  
COUNTY OF OXFORD,

TO WIT:

You *Mary Clark* of the Town *Woodstock* of  
in the County of Oxford, <sup>Widow</sup> do swear that  
you know of no Will made by the late *James Clarke* late of the Town *Woodstock* of  
in the County of Oxford, *Met. Clark* deceased, that you will

well and truly administer all and singular, the Goods, Rights, Credits and Chattels of the said deceased; that you will pay all such Debts as the said deceased owed at *his* death, so far as such Goods, Rights, Credits and Chattels will thereunto extend, and by Law you are bound, that you will make a true and perfect Inventory of all and singular the Goods, Rights, Credits, and Chattels of the said deceased as have, or shall come into your hands, custody, power or knowledge, and exhibit, or cause to be exhibited, the same unto the Registry of the said *Surrogate Court of the*

*County of Oxford* within the time limited by the said Court: and that you will also give a just and full account thereof unto the said Court, when you shall be thereunto lawfully required: You also swear that the property of the said *James Clarke* deceased, is under the sum of *Six hundred* pounds of lawful money of Canada, and that the said *James Clarke* died at the Town *Woodstock* aforesaid on or about the *fourth* day of *April* in the year of our Lord one thousand eight hundred and *fifty seven* and you further swear that you are the *Widow* of the said *James Clarke* deceased.

So HELP YOU GOD.

Sworn before me at *Woodstock* of Oxford, this *28* day of *June*.

in the County }  
A. D. 18 *57* }

*Mary Clark*

*W. Lapin*

Judge of the Surrogate Court,  
County of Oxford.