

Will of the Late Peter
Cuthbert Deceased

Probat Copied per test
the 30th Decemr 1855

W. Laprusche
Judge Senogale
Cout de Paris

Probat by Scientific Secretaries
26. Decemr 1855

W. Laprusche
Judge Senogale
Cout de Paris

In the name of God Amen I Peter Cullens
of the Township of West Nyack in the County of
Orange and Province of New York being
being of sound and disposing Mind, and Memory
and Understanding do Make, Publish and
Declare this to be my last Will and Testament,
hereby revoking and Making Null and
Void all former last Wills and Testaments
and writings in the Nature of last Wills and
Testaments by me heretofore Made
My Will is First, That my Funeral Charges
and just debts shall be paid by my Executors
hereinafter named.

The residue of my Estate and property which shall
not be required for the payment of my just
debts, funeral charges and, and the Expenses
attending the Execution of this my Will, and the
administration of my Estate, I Give, devise,
and dispose thereof as follows that is to
say: I give and devise, to my beloved
Wife, Elizabeth Cullens, all my household
Furniture, Horses, Cattle and other Stock owned
by me at the time of my demise to have and to
hold to her and her heirs and assigns Executors
administrators and assigns forever. I do also devise
and bequeath to my said beloved Wife Elizabeth
the entire and exclusive use and enjoyment
of my house and lot situate in the North West
Corner of lot numbered Twenty one in the second
Concession of the Township of Norwich and South
County of Orange being the same premises
purchased by me from Thomas Ralph Graham

Physicians which land and premises is more
fully described in the Deed of Conveyance from
the said Thomas ^{Wigham} Ralph, to his Exeors being
back thereto to have and to hold the same for
and during her natural life or until she by
her last will and testament shall appoint the full
age of twenty one years, and it is my will
and pleasure and I further give to my said
son Joseph his heirs and assigns my said dwelling
house and lands thereto belonging as above
set forth and described in full forever
subject nevertheless to the conditions and covenants
as above named to have and to hold the said
dominal premises to my said son Joseph ^{his heirs and assigns} from
I further give and bequeath to my wife
Brother William Pallister the sum of twenty
five pounds lawful money of Canada to have
legal Interest from the date of this my last
will and testament and to be paid to him when
he shall arrive at the full age of Twenty one
years both Interest as aforesaid
I wish it to be understood and it is my will
that any property, legacies or other Bequests that
I hereby give make or in any manner authorize
to be made or given shall not operate to deprive
my said wife Elizabeth of any right
interest or claim she may or shall be
entitled to as Widow or Widow in or to any land
and premises heretofore disposed of or conveyed
by me or of a into the said and the said house
above mentioned
I further will and bequeath to my said

3.
My Wife Elizabeth her heirs now living all the Parts
of the Contents of My Estate Real, Personal and Mixed
including all the Debts that may be owing to me
of which I shall die seized with Profound, as to which I
shall be entitled at the time of My Decese to My
Subject to the Payment of such portion thereof as
I shall or may be required to give My said Sons
such a good Common Education which duty I
impose upon My Executors hereinafter named to
be done to be given to him providing My Estate
will in their Judgment permit of the same to
Carry out this desire and wish
Whereas I have during My life given to My several
Children James, Alexander, Peter, John, William
Elizabeth, Charles, Robert & George, so much of
My worldly substance as My Circumstances could
permit Me to give unto them being completely
provided for to My will and Mind that My
Executors hereinafter named do pay to each one
of My said Children but of present Money the
sum of one Shilling Sterling each as the only
Legacy I at this time have it in My mind to
leave for their use
And I do hereby nominate and appoint My
beloved Wife Elizabeth Executors and My
son John Craik Executors and My
Friend George W. Craik one of the Town of
Warriston in the said County of Ayr and Legume
Executors of this My last will and testament
Enjoining on My said Executors to see that
the said Judgment shall and discretion in carrying
out My said wishes as herein expressed

I further will and desire that should any
difficulties arise in the administration of my affairs
or in the solemn carrying out or performing any
of the duties required by me to be had done and
performed by my said Executors that should any
dispute arise touching any part of my duties
or requests herein contained that there and in such
case that neither any one of the legates or either of
the Executors hereinbefore named do give sentence but
that all such disputes difficulties and differences
of whatever kind and nature shall be left to the final
arbitrament determination and decision of one of my
said Executors namely my Friend George W. Whitcomb
whose award decision and determination shall be
final and conclusive whether such award decision
or determination shall be in writing or verbal. It being
my will and desire to avoid the expense and trouble
of such suits. And I further desire that my
said Executors shall not be put to any expense
without being fully reimbursed thereof out of
my said Estate touching to their faithful admini-
stration of my affairs. And should it become
necessary for my said Executors to make or to
execute any bills of any kind or description whether
for lands or otherwise that they be hereby authorized
and empowered to make execute and perfect
any such bills whether for lands or other property
or effectually as I might have done.

In testimony whereof I the Peter Cuthbert have
hereto subscribed my name and
affixed my seal, this fifth day of
August

March in the year of our Lord one Thousand
Eight Hundred and fifty five

By Peter Curshaw

Sequel sealed and declared by the said Peter Curshaw
to be his last Will and testament in presence of us
who in his presence and in the presence of each
other and at his request have hereunto

Subscribed our names as witnesses

Thomas Rolph, Esq. Sheriff

The Township of Donisth County of Oxford

Alex. Rose Farmer

Township of West Oxford County of Oxford

In the Surrogate Court of the County of Oxford.

Province of Canada,
COUNTY OF OXFORD,
TO WIT:

You *Groyc Washington Whitehead* of the Town _____ of
Woodstock in the County of *Oxford*

the Execut^{or} named in the last Will and Testament _____ of the late
Peter Cathbert late of the said Township of *Westonford* deceased, do
swear that you believe the Will _____ now shewn to you to be the last
Will and Testament _____ of the said *Peter Cathbert* that you will

pay all the Debts and Legacies of the said deceased, so far as the Goods and Chattels, Rights and
Credits of the said deceased shall extend, and by law you are bound: that you will exhibit
a full, true, and perfect Inventory of the Goods and Chattels, Rights and Credits of the said
deceased, in the Registry Office of the Surrogate Court of the County of Oxford, when you shall
be, thereunto lawfully required. And you further swear that the Goods and Chattels, Rights,
and Credits of the said deceased at the time of his death amounted to the sum of ~~£100~~

*hundred and forty pounds twelve shilling and
two pence or thereabouts* So HELP YOU GOD.

Sworn before me at *Woodstock* in the County }
of Oxford, this *26* day of *December* A. D. *1855* } *G. G. Whitehead*

W. Sapsnut

Judge of the Surrogate Court,
County of Oxford.

In the Surrogate Court of the County of Oxford.

Province of Canada,
COUNTY OF OXFORD,
TO WIT:

You *John Cuthbert* of the Town ship of
West Oxford in the County of *Oxford*
the Execut^{or} named in the last Will and Testament _____ of the late
Peter Cuthbert late of the said Town ship *Uxona* deceased, do
swear that you believe the Will _____ now shewn to you to be the last
Will and Testament _____ of the said *Peter Cuthbert* that you will
pay all the Debts and Legacies of the said deceased, so far as the Goods and Chattels, Rights and
Credits of the said deceased shall extend, and by law you are bound: that you will exhibit
a full, true, and perfect Inventory of the Goods and Chattels, Rights and Credits of the said
deceased, in the Registry Office of the Surrogate Court of the County of Oxford, when you shall
be, thereunto lawfully required. And you further swear that the Goods and Chattels, Right
and Credits of the said deceased at the time of his death amounted to the sum of ~~Twenty~~ *six*

hundred and forty pounds twelve shillings and two
pence or thereabouts

So HELP YOU GOD.

Sworn before me at *Woodstock* in the County } *John Cuthbert*
of Oxford, this *26* day of *December*, A. D. *1858*

W. J. S. J. S.

Judge of the Surrogate Court,
County of Oxford.

In the Surrogate Court of the County of Oxford.

Province of Canada,

COUNTY OF OXFORD,

TO WIT:

You *Elizabeth Cathbert* of the Township of *West Oxford* in the County of *Oxford* the Executrix named in the last Will and Testament of the late *Peter Cathbert* late of the said Township of *Yongau* deceased, do swear that you believe the Will now shewn to you to be the last Will and Testament of the said *Peter Cathbert* that you will pay all the Debts and Legacies of the said deceased, so far as the Goods and Chattels, Rights and Credits of the said deceased shall extend, and by law you are bound: that you will exhibit a full, true, and perfect Inventory of the Goods and Chattels, Rights and Credits of the said deceased, in the Registry Office of the Surrogate Court of the County of Oxford, when you shall be thereunto lawfully required. ~~And you swear that the Goods and Chattels, Rights and Credits of the said deceased at the time of his death amounted to the sum of~~

So HELP YOU GOD.

Sworn before me at *Woodstock* in the County of Oxford, this *26* day of *December* A. D. *1850*

Elizabeth Cathbert
Mark

W. Supershere
Judge of the Surrogate Court,
County of Oxford.

In the Surrogate Court of the County of Oxford.

Province of Canada,
COUNTY OF OXFORD,

TO WIT:

You, *Thomas Ralph Sparran* of the Town *Ship* of
March in the County of *Republ*

Physician one of the subscribing Witnesses to the last Will and Testament of the late
Peter Cuthbert late of the said Town *Ship* deceased, do swear that
you were personally present, and did see the said *Peter Cuthbert*
sign, seal, publish, and declare the Will now shewn to you as and for his last Will and Testa-
ment, and you the said *Thomas Ralph Sparran* do further swear that the names of
Alexander Rose
which appear as Witnesses to the said last Will and Testament of the said *Peter Cuthbert*
Rose ~~is~~ are the proper handwriting of ~~them~~ the said *Alexander*
Rose who, together with
you, signed ^{his} their names in the presence of the said Testator, and at his special instance and re-
quest; and you likewise further swear that you verily believe that the said *Peter Cuthbert*
at the signing of the said last Will and Testament
was of sound memory and understanding.

So HELP YOU GOD.

Sworn before me at *Woodstock*
Oxford, this *30* day of *October*

in the County of }
A. D. 1855 }

W. Lapham
Judge of the Surrogate Court,
County of Oxford.

In the Surrogate Court of the County of Oxford.

Province of Canada,
COUNTY OF OXFORD,

Thomas Ralph Graham of the Township of
Hornby in the County of Oxford

TO WIT:

Myself maketh oath and saith, that the late Pelu Leathbert
late of the Township of West Oxford in the said County of Oxford
deceased, departed this life, at the said Township of West Oxford on or about the

fifteen sixteenth day of March
hundred and fifty five

in the year of our Lord, one thousand eight

Sworn before me at Woodstock
of Oxford, this 30 day of October

in the County of Oxford } Thomas R. Graham
A. D. 1855

W. Laprotiere

Judge of the Surrogate Court,
County of Oxford.

To His Honor William Sapsentice Esquire Judge of the Superior
Court of the County of Bedford.

That the petition of Elizabeth Cuthbert of the Township of
West Bedford in the County of Bedford Widow of the late Peter Cuthbert late
of the said Township, Heron deceased decedent under the will of the said
Peter Cuthbert and George Kesteven Whelhead of the Town of
Woodstock in the said County Esquire and John Cuthbert one of the said
Township of West Bedford Heron Executors under the said will.

Humly Sheweth.

That Peter Cuthbert late of the Township of West Bedford in the County
of Bedford Heron deceased duly made and published his last will and
testament in writing bearing date the fifteenth day of March in the
Year your Lord one thousand eight hundred and fifty five and thereby
appointed your Petitioner Executrix and Executors of his said
will and departed this life on about the sixteenth day of March
of the same year without having altered or revoked his said will; that
the said deceased at the time of his death was possessed of or entitled
to diverse goods and chattels rights and credits all within the County
of Bedford amounting in the whole so far as your Petitioner have been
enabled to ascertain to the sum of Two hundred and forty pounds ten
shillings and seven pence. Your Petitioner do not know of any
other persons who are entitled to such goods and chattels and from the said
will therefore humbly pray that they may be permitted to exhibit and
prove the said will And your Petitioner as in duty bound will
ever pray.

Woodstock 26 Decemr 1855.

Done at the County of Bedford at the
foregoing petition having been read and explained
to her the meaning of which she fully understood

Wm Sapsentice

Elizabeth Cuthbert
Mark

George Kesteven
John Cuthbert