

1830

South, Thomas  
Mice

36

Mr. Gilding

I Heathy Fitzsimons of the Township of Missourie in the  
Beauh District and Province of Canada considering the uncer-  
tainty of life and being of sound mind and memory do make  
and ordain this my last will and Testament and dispose  
of my property in the following manner. I will and devise  
to my wife Esther the house I now live in with two acres of  
land to be taken from the North west corner of Lot No 15 in the  
5<sup>th</sup> concession in the Township of Missourie attached to the  
said house on the said land for her own use and benefit  
and all profits arising therefrom as long as she lives and  
after her death I will and devise the said house and land  
to my son Henry. I will and bequeath to my eldest son John  
the sum of twelve pounds Currency. I will and bequeath to  
my second eldest son Thomas the sum of seventy five pounds  
currency and two sheep. I will and bequeath to my third eldest  
son Samuel the sum of twenty pounds Currency. I will and  
bequeath to my fourth eldest son Heathy the sum of twenty  
five pounds Currency I will and devise to my daughter  
Margaret part to her husband and assigns for ever sixty six  
acres of the East front end of the said Lot No 15 in the 5<sup>th</sup>  
concession of the said Township and I also will and bequeath  
to my said daughter Margaret the colt and one third of the  
stock not including the horses I will and devise to my fifth  
eldest son George sixty six acres of the South west part of  
the said Lot. I will and devise to my sixth eldest son Henry  
the remainder of the said Lot with all houses and out houses  
thereon and I also will and bequeath to my said two sons  
George and Henry each one third of my stock and each one  
horse and I also order and ordain that my said daughter Margaret  
and my said two sons George and Henry shall give to my  
said wife Esther three pounds fifteen shillings Currency each  
annually as long as she lives and that my said daughter Margaret  
and my said two sons George and Henry shall also school, clothe  
and board my daughter Eleanor in a proper and sufficient  
manner until my said daughter Eleanor is of age and shall  
also give to my said daughter Eleanor when she is of age three  
pounds or twelve pounds ten shillings Currency in money

and I also order that my said daughter Margaret and my said  
two sons George and Henry shall work all the improvements on  
the said Lot of Land being composed of the said Lot 9<sup>th</sup> 15 in  
the 5<sup>th</sup> concession of the said Township of Dubouire until such  
time as they shall pay all and every incumbrance or debt  
due on the said Land (with the profits issuing thereon)  
and in case that my said daughter Margaret and my  
said two sons George and Henry and in case any or either  
of them shall not pay the said sums of money to my wife  
Esther or shall neglect or refuse to school clothe or board  
and give the said cows or money to my daughter Phoebe  
or shall refuse to work the improvements on the said  
Land to pay the incumbrances thereof then each or all  
of them shall forfeit all right and title whatsoever to any  
share or profit of the said Land whatever that is to say  
those of them that shall not perform the said covenants  
they shall forfeit undividedly their claim or right to the  
said Land and I do nominate constitute and appoint George  
Belton of the Township of London John Jackaberry of the said  
Township and John Fitzgimons of the Township of Missouai to  
be my sole Executors to this my last will and Testament  
and I do order and empower my said executors to buy one yoke  
of oxen to be employed in working the said improvements  
on the said Land for the benefit of my said daughter Margaret  
and my said two sons George and Henry and do also give my said  
Executors all power and authority in me vested to draw any money  
or collect the same that may be coming to me from Ireland  
or any other place and I also will and bequeath if after all my  
lawful debts be paid there shall be any money left the said money  
shall be equally divided between my said daughter Margaret and my  
two sons George and Henry Given under my hand and seal this fifth  
day of October one thousand eight hundred and forty four in witness whereof  
I have placed my said hand and seal as this my last will and testament

Signed sealed, published and declared by the said  
testator Henry Fitzgimons as and for his last will  
and testament in the presence of us who have subscribed  
our names as witnesses thereto in the presence of the said testator

John Scatcherd

Francis Howells

Henry Fitzgimons

Inventories of the goods  
and chattels of the late  
Hately Fitzsimons Decd

	£	s	d
1 Span of mares	20	0	0
24 Sheep at 7/6 each	15	15	0
3 milks cows 2.15.0 each	4	5	0
1 year old filly	6	5	0
2 Suckling foals	6	0	0
2 Fat cows	8	10	0
2 4 year old Steers	8	0	0
1 3 year old Steer	3	0	0
2 2 year old Steers	4	0	0
5 1 year old Steers and heifers	6	0	0
3 calves	1	17	6
1 Boor Hog	2	0	0
10 Hogs at 1.0.0 each	10	0	0
1 Sow 1.0.0	1	0	0
10 Stakes 7/6 each	4	10	0
1 a horse Wagon	8	15	0
1 Fanning mill	4	0	0
1 plow	1	10	0
1 plow	2	0	0
1 Set of Double Horns	2	10	0
20 Horns teeth	1	5	0
6 ton of Hay 1.15.0 per ton	10	10	0
20 Bushels <sup>Wheat</sup> at 1/3	1	5	0
80 Bushels of potatoes 1/	4	0	0
40 Bushels of peas 1/10 1/2	3	15	0
1 Lung Stone 5/	0	5	0
1 ore 5/	0	5	0
1 Log of Charcoal 5/	0	5	0
1 Iron 1/10 1/2	0	1	10 1/2
100 Bushels Wheat at 9/11 1/2	15	12	6
6 Churns and one table	1	0	0
2 Beds and Bedding	5	0	0
2 Sheets			

£ 164 2 1/2

£ 164. 4. 4 1/2

5	knives and 3 forks 3/9	0	3	9
3	table spoons 3	0	0	3
24	run of water yarn 1/3 per run	2	2	6
2	Bunches Cotton yarn 6 of each	0	10	0
14	potatoes	0	10	0
3	Fishes	0	1	10 1/2
4	Cups and Saucers	0	3	9
6	Bales	0	1	10 1/2
1	pair Scales	0	1	9
1	Sanver	0	0	7 1/2
1	Decanter Glasses and Salt Stand and Brush	0	10	0
1	tea chest	0	2	6
5	Water pails	0	3	9
9	water measures	0	3	9
1	bundle sticks	0	2	6
1	tin pan and Gutter		1	10 1/2
1	Fish Kettle, Bake So	0	10	0
2	flat irons and Saus iron	0	5	0
1	Wash Board	0	0	7 1/2
1	broodst Sow	0	10	0
	part Barrel Salt		3	1 1/2
4	prongs Bonnets 3/9 each	0	15	0
1	Shuggor Kettle	1	0	0
1	foldover Kettle	2	0	0
1	one font	3	15	0
1	Saddle	2	5	0
20	tumbrels 1/10 1/2 each	1	17	6
16	grease 1/10 1/2 each	1	10	0
1	ox yoke	0	6	3
54	run water yarn 1/3 per run	3	7	6
1	4 1/2 kettle	0	15	0
		24	0	3

Prompt loan £ 164. 4. 4 1/2

24. 0. 3  
£ 188. 4. 7 1/2

Given this the tenth of  
 Oct one thousand eight  
 hundred forty five  
 George Belton  
 John Mackenzie  
 John Fitzsimons } Witnesses

**IN THE SURROGATE COURT.**

PROVINCE OF CANADA, } YOU *John Scatchard*  
DISTRICT OF BROCK, } of the *Township* of *Nissouri*  
WOODSTOCK, TO WIT: }  
in the District of *Brock* and Province of Canada, *appear*  
of the subscribing witnesses to the last Will and Testament of the late *Heathly Fitzsimons*  
of the *Township* of *Nissouri*  
in the District of *Brock* and province aforesaid *Yeoman*  
Deceased, do swear that you were personally present and did see the said *Heathly*  
*Fitzsimons* sign, seal, publish and declare the *Paper*  
now shown to you as his last Will and Testament; and you the said *John*  
*Scatchard* do further swear that the name *Francis Bowers*

which appears as Witness to the last Will and Testa-  
ment of the said *Heathly Fitzsimons* is the proper handwriting of the said  
*Francis Bowers*

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 *Heathly Fitzsimons* 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 *19*  
day of *Sept* 1845  
*John Arnold Surr*

*John Scatchard*

**IN THE SURROGATE COURT.**

PROVINCE OF CANADA, } YOU *George Belton, and John Lockberry* both of the  
DISTRICT, } *Township of London in the London District and*  
Woodstock, to wit: } *of the Township of Nissouri of the District of Nissouri*  
in the District of *Brock* of *Brock*  
and Province of Canada, *Yeoman* do swear that you are the persons named in the  
last Will and Testament of the late *Heathly Fitzsimons*  
of the *Township* of *Nissouri* in the *Brock* District, and  
Province aforesaid. *Yeoman* deceased as Executor 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 *19<sup>th</sup>*  
day of *August* 1845  
*John Arnold Surr*

*George Belton*  
*John Lockberry*  
*John Fitzsimons*

IN THE SURROGATE COURT.

District of Brock, Canada West.

WOODSTOCK,

TO WIT:

*John Fitz Simons*

Of the Township of *Missouri* District of *Brock* and Province  
aforesaid, maketh oath and saith that *Matth Fitz Simons late*

*of the said Township of Missouri Yeoman*

departed this life on or about the *twentieth* day of *December*  
in the year of our Lord one thousand eight hundred and *forty four* and that to  
the best of *his* knowledge and belief, as far as *he* 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 *one hundred and*  
*fifty* Pounds Currency.

Sworn before me at Woodstock, this *19<sup>th</sup>* day of *August 1845*

*John Arnold*

*John Fitz Simons* Surrogate, District of Brock