

37
Probate

The last Will and testament of
Thomas Hart late of the Township of
East Oxford,

Probate granted to John Hart and
Amy Hart both of the Township of
East Oxford

4th January 1860

Office of the Surrogate Clerk.

In the Goods of Thomas Hart
deceased, named in a certain Notice of Application for a grant of
Probate dated the Thirtysirst day of December
A. D. 1859 as late of the Township of East Oxford in
the County of Oxford, Upper Canada

I, Charles Fitzgibbon the Surrogate Clerk,
do hereby certify, that no Notice of Application in respect to the Goods
of the said deceased has been received by me from any of the Registrars
of the Surrogate Courts in Upper Canada, save the above from the
Surrogate Court for the County of Oxford for a grant of
Probate of the will bearing date the Fifteenth
day of December A.D. 1859

And I further certify, that no Caveat or copy of Caveat
against the grant of Probate or Administration on the Goods of the
said deceased has been lodged with or received by me.

Dated the Fourth day of January A. D. 1860

Charles Fitzgibbon

Surrogate Clerk.

To

The Registrar of the Surrogate Court,
County of Oxford,
Woodstock
ON.

Unto the Surrogate Court of the

County of *Coquitlam*

The Petition of *John Hart* of the Township of *East Coquitlam* in the County of *Coquitlam* *Ymouan* and *Army Hart* of the said Township *Hedon* of the late *Thomas Hart* late of the said Township *Ymouan* deceased

HUMBLY SHEWETH

That *Thomas Hart* of *East Coquitlam* in the County of *Coquitlam* deceased, died on or about the *fifteenth* day of *December* in the year of our Lord one thousand eight hundred and *fifty nine* at the Township of *East Coquitlam*

in the County of *Coquitlam* and Province of Canada, and that the said deceased at the time of his death had his fixed place of abode at the Township of *East Coquitlam* in the said County of *Coquitlam*

That the said deceased in his life time duly made his last Will and Testament, bearing date the *fifteenth* day of *December* one thousand eight hundred and *fifty nine*

That your Petitioner *and Army* the executor named in the said Will the value of the personal estate and effects of the said deceased which he in any way died possessed of or entitled to, and for and in respect to which a Probate of the said Will is to be granted, are of or about the value of *two hundred and twenty five dollars and fifty cents* dollars to the best of your Petitioner's knowledge and belief, Wherefore your Petitioner prays that Probate of the said Will of the said deceased may be granted to *them* by this Honorable Court.

Dated the *30th* day of *December* 18*59*

John Hart
Army Hart

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In the Surrogate Court, of the County of

of *Orange*

In the goods of *Thomas Hart of the Township of East Orange in the County of Orange* deceased.

I, *Mary Ann Hart* of the Township of *East Orange* in the County of *Orange* Widow

make oath and say:

That I am the Executrix named in the last Will and Testament of the said *Thomas Hart* deceased.

That said deceased died on or about the *fifteenth* day of *December* in the year of our Lord one thousand eight hundred and *fifty nine* at *East Orange aforesaid* and that the said deceased at the time of his death had fixed place of abode at *East Orange* in the said County of *Orange*

Mary Ann Hart

Sworn at *Woodstock* in the County of *Orange* the *fourteenth* day of *December* A.D., 18*69* before me.

W. Lapartie
a Commissioner in Bankruptcy of the County of *Orange*

Affidavit of Execution of Will.

In the Surrogate Court, of the

County of

of *Orange*

In the goods of *Thomas Hart late of East Orange, New Jersey*
deceased.

I *John Magee* of the Township
of *East Orange* in the County of *Orange, New Jersey*

make oath and say:

That I knew *Thomas Hart*
late of *East Orange in the County of Orange, New Jersey* deceased.

That on or about the *fifteenth* day of *December* in
the year of our Lord one thousand eight hundred and *fifty nine* I was present
and did see the said *Thomas Hart* sign and declare the
paper writing hereunto annexed, as and for the last Will and Testament of the
said *Thomas Hart*

That I, deponent and *James Scuff of East Orange, New Jersey and George*
Washington Mitchell of Woodstock in the County of Orange, Virginia
did subscribe our names as witnesses to the execution of the said Will at the
request of the said Testator and in presence of each other; and lastly, that the
several names subscribed as witness to the execution of the said Will are of the
proper handwriting of this deponent and the said *James Scuff and George Washington*
respectively.

Witness

And I this deponent further say that I verily believe that the said Testator at
the time of the execution of the said last Will and Testament was of sound and
perfect mind memory, and understanding.

Sworn before me at *Woodstock in the County*
of *Orange, N.J.* this *30* day of *December*

A.D., 18*59*

John Magee

W. D. Aponte a Commissioner
in of the County of *Orange*

In the Surrogate Court,

County

of *Orford*

In the goods of *Thomas Hart of the Township of East Orford in the County of Orford Vermont* deceased.

I *John Hart* of the Township of *East Orford* in the County of *Orford Vermont* make oath and say that I am the Execut^r named in the last last Will and Testament of the said *Thomas Hart* deceased.

That the personal estate and effects of the said deceased, which *he* in any way died possessed of or entitled to, and for and in respect to which Probate of the said Will is to be granted, are of or about the value of *Six hundred and sixty six* dollars. *and fifty cents*

Sworn at *Woodstock* in the County of *Orford* the *30th* day of *December* A. D., 1859 before me,

John Hart

W. Lapointe
a Comm^r in Bd^r in of the
County of *Orford*

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In the Surrogate Court of the County of Oxford

In the Goods of Thomas Hart Myrman deceased

I ^{Amey} Hart of the Township of East Oxford in the County of Oxford Widows make oath and say that I believe the paper writing hereunto proposed to contain the true and original last Will and Testament of Thomas Hart ^{late} of the Township of East Oxford in the County of Oxford Myrman deceased that I am the Executrix therein named and that I will faithfully administer the personal Estate and effects of the said Testator by paying his just debts and the legacies contained in his Will so far as the same will thereunto extend and the law bind me, and that I will exhibit a true and perfect inventory of all and singular the personal Estate and effects rights and Credits of the Testator and render a just and full account of my Executorship when ever required by law so to do.

Sworn at Woodstock in the County of
Oxford the first

Sworn at Woodstock in the County of Oxford
the thirtieth day of December A.D. 1867
before me

W. Lapproutine

Notary Public in and for the
County of Oxford

Henry Hart

In the Surrogate Court of the County of Oxford

In the Goods of Thomas Hart M'Gowan deceased

I, John Hart of the Township of East Oxford in the County of Oxford M'Gowan make oath and say that I believe the paper writing hereunto proposed to contain the true and original last Will and Testament of Thomas Hart late of the Township of East Oxford in the County of Oxford M'Gowan deceased that I am the Executor therein named and that I will faithfully administer the personal Estate and effects of the said Testator by paying his just debts and the legacies contained in his Will so far as the same will thereunto extend and the law bind me, and that I will exhibit a true and perfect inventory of all and singular the personal Estate and effects rights and credits of the Testator and render a just and full account of my Administration whensoever required by Law so to

do

John Hart

Sworn before me at New-Dalton in the
County of Oxford this 30th day of
December A.D. 1859

W. Sapreux

Notary Public in & for the
County of Oxford

This Instrument Witnesseth that I Thomas
Hart of the Township of East Oxford in
the County of Oxford and Province of
Canada Garrison being of sound mind
and disposing mind, 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
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 and Executors
hereinafter named

The residue of my Estate and property whatsoever
not be required for the payment of my just debts, funeral
charges, 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 Anne Hart,
all my household furniture Beds Bedding and all other
house hold goods to her and her absolute use and disposal
forever

I give and devise to my eldest son John Hart
The North West quarter of lot number Seventeen in the
Third Concession of the said Township of East Oxford
to be parcel to have the same to him the said John
Hart his heirs Executors administrators and assigns
to his and their use forever Subject nevertheless to the
Conditions hereinafter mentioned

I give and devise to my second son William
Hart the North East quarter of lot number Seventeen
in the Third Concession of the said Township of East
Oxford to have and to hold the same to him the said
William Hart his heirs Executors administrators and
assigns to his and their use forever Subject nevertheless

to the Conditions hereinafter mentioned

I give and desire to my younger son Henry
Hart the North East quarter of lot Number six in the
Seventh Township of the said Township of East Oxford
to have and to hold the same to him the said Henry
Hart his heirs Executors administrators and assigns to
his and their use forever -

I also give and bequeath all my Stock of Horses
Cattle Sheep and Hogs to my said second son John
William and Henry to be equally divided amongst
them to share and share alike

I further Will give and desire that my dear Wife
Amy Hart shall have hold and Enjoy the undivided
Entire and exclusive use of my dwelling House situate
on the North half of lot Number Seventeen in the
Third Township of the said Township of East Oxford
being the same heretofore devised to my two sons
John and William, having full control thereof
during her natural life and to have the property
of my said two sons John and William as herein
before provided

I further Will and desire that my said two
sons John William and Henry do pay to my daughter
Esther each the sum of one hundred dollars in
Cash on her arriving at the age of Eighteen years
the said General Legacy to remain in Charge on
the said heretofore devised until so paid as aforesaid
to my daughter Esther

And I desire and bequeath all the rest and
Residue of my said Estate Real Personal and mixed
of which I shall be careful and proper or to which I
shall be entitled at the time of my decease to my
said sons and daughter hereinafter named to have
and to hold to them their and each of them and
their heirs and assigns of their heirs, Executors, administrators
and assigns to his her and their use and behoof forever

And I do nominate and appoint my said son
John Executors and my said Wife Amy to be
Executors and Executors of this my last Will and
Testament

In testimony whereof I the said Thomas
Hart, have hereunto subscribed my name and
affixed my seal, this fifteenth day of December
in the year of our Lord one thousand eight hundred
and fifty seven

Thomas

Sequel sealed and declared
by the said Thomas Hart to be
his last will and testament, in
presence of James Scraft
John Magee and George
Washington Whitcomb
who at his request and in his
presence have subscribed their
names as witness hereto, in the
presence of each other

Thomas Hart

James Scraft
John Magee
George Whitcomb

W. Laprotiere Commissioner

John Hart Executor
Amy Hart Executrix