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In the Surrogate Court
C Oxford

In re David Merrick
deceased

Petition of H. Millikes

filed March 18th 56

In the Surrogate Court for the County of Oxford

To William Lapenotiere of the Town of Woodstock in the said County Esquire Judge of the Surrogate Court of the said County of Oxford the petition of Henry Hilliker of the Township of Dereham in the said County of Oxford yeoman humbly sheweth:

That on or about the twenty third day of December in the year of our Lord one thousand eight hundred and fifty four David Herrick late of the said Township of Dereham merchant departed this life intestate, having whilst living and at the time of his death such chattels and credits within the said County of Oxford to the value eighty five pounds or thereabout to the best of your petitioners knowledge information and belief.

That the said David Herrick was at the time of his decease justly and truly indebted to your petitioner in the sum of ninety pounds of lawful money of Canada for money lent by your petitioner to the said David Herrick, no part of which sum of money has since been paid to your petitioner.

That the said David Herrick left behind his mother — Herrick whose christian name is to your petitioner unknown and two brothers Joseph Herrick and Ira Herrick and one sister Nancy Herrick all of the said Township of Dereham his only next of kin and entitled in distribution to the said personal estate and effects

Your petitioner therefore prays your Honour that the said next of kin of the said David Herrick may be cited by this Honourable Court to appear and shew cause why administration of the effects of the said David Herrick should not be granted to your petitioner and that, in

default thereof, or if no sufficient cause be shown, that administration thereof be granted to your petitioner.

And your petitioner will ever pray.

Dated March 18th 1856

Henry Hilliker

On reading the within Petition I do order that a Citation be granted calling on the Mother of the within named David Merrick to appear on Friday the fourth day of April next at the hour of 12 o'clock noon to accept or refuse administration; in default that Letters of administration be granted to the within petitioner as a Creditor of the said deceased

Dated this 10 day of March 1856

W. Lapsnotigen
Judge Pro Cora Pro

In the Juvenile Court
Oxford

In re David Merrick
deceased

Petition of H. Hilliker

Filed March 19th 1856
[illegible]

In the Surrogate Court of the County of Oxford.

Province of Canada,
COUNTY OF OXFORD,
TO WIT:

You Henry Hillsden of the Town Lumberman ship of Dereham in the County of Oxford, do swear that you know of no Will made by the late David Herrick late of the Town ship of Dereham in the County of Oxford, Merchant 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 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 David Herrick deceased, is under the sum of three hundred Pounds of lawful money of Canada, and that the said David Herrick died at the Town ship aforesaid on or about the third day of December in the year of our Lord one thousand eight hundred and fifty four and you further swear that the said deceased at the time of his death was indebted to you in the sum of twenty Pounds and that the same sum is yet due and owing to you.

So Help You God.

Sworn before me at Woodstock in the County of Oxford, this 4th day of April A. D. 1856

Henry Hillsden.

W. Lapenotiere

Judge of the Surrogate Court,
County of Oxford.

Know all Men by these Presents, that we Henry Hillicker of the Township of Dereham in the County of Oxford Yeoman a Creditor of the Estate of the late Dana Herrick late of the Said Township Merchant deceased, and administrator of the Estate of the said deceased, George Washington Towers of the Township of Dereham in the Said County Lumberman and Eli Reynolds of the said Township of Yeoman, sureties for the due administration of the said Estate are held and firmly bound to His Excellency Sir Edmund Walker Head Baronet Governor General of the Province of Canada

and to his Successor and Successors in Office, in the sum of One hundred and Sixty Pounds of lawful money of the said Province, to be paid to Her Majesty Queen Victoria and her 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 Oxford this fourth day of April in the year of our Lord one thousand eight hundred and fifty six

THE CONDITION of this obligation is such, that if the within bounden Henry Hillicker Administrator of all and singular the goods, chattels, and credits of Dana Herrick 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 him the said Henry Hillicker or into the hands and possession of any other person or persons for him and the same so made, do exhibit or cause to be exhibited into the Registry of the Surrogate Court of the County of Oxford on or before the Last Mon Monday in September 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 Henry Hillicker or into the hands and possession of any other person or persons for him do well and truly adminster according to law, and further do make or cause to be made a true and just account of his said administration, at or before the fourth day of April 1857. and all the rest and residue of the said goods, chattels, and credits, which shall be found remaining upon the said Administrator 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 Henry Hillicker 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 }

Henry Hillicker

Geo W Towers

Eli Reynolds

In the Surrogate Court of the County of Oxford.

George Washington Fowler of the Township of Dereham in the County of Oxford Lumberman and Eli Reynolds of the said Township Lumberman

SURETIES for the due administration of the estate of David Derrick late of the Township of Dereham in the County of Oxford Merchant deceased, severally made oath and say: And first the said George Washington Fowler for himself saith that he is worth the sum of One hundred and Sixty pounds of lawful money of Canada, all his debts being first paid: And next the said Eli Reynolds for himself saith that he is worth the sum of One hundred and Sixty Pounds, of lawful money of Canada, all his debts being first paid.

Sworn before me at Woodstock in the County of Oxford, this fourth day of August in the year of our Lord 1856 by the said George Washington Fowler and Eli Reynolds severally.

Geo W Fowler
Eli Reynolds

W. Lapenotiere
Judge Surrogate Court
County of Oxford

1856
In the Surrogate Court
Bond
Eli Fowler & Eli Reynolds
to
Henry Hilliker

In the Surrogate Court of the County of Oxford

County of Oxford } Ss. I, Reynolds of the Township of Dereham in the County of Oxford Gentleman
makes oath and saith that he did on the twenty fourth day of March in the
year of our Lord one thousand eight hundred and fifty six personally serve the
within named Mr Herrick of the said Township who this deponent believes
to be the mother of the within named Dana Herrick with a true Copy of the within
Citation. And this deponent further saith that he does not know the Christian name
of the said Mr Herrick.

Sworn before me at Woodstock in the County of
Oxford this fourth day of April AD 1856

W. Lapenotiere
Judge of the Surrogate Court for the
County of Oxford.

Filed

IN THE SURROGATE COURT.

By William Lapenotiere [redacted], Esquire, Judge of the Surrogate Court, of the ~~District~~ County of ~~Brock~~ Oxford, in the Province of Canada:

To the next of Kin of the Late David Herrick of the Township of Dereham in the ~~District~~ County of Oxford Deceased.

Whereas, Henry Hillicker of the Township of Dereham aforesaid Yeoman exhibited a petition in the said Court, setting forth, that the said David Herrick died in or about the month of December in the year of our Lord one thousand eight hundred and fifty four intestate, at the Township of Dereham aforesaid leaving a mother who resides in the Township of Dereham aforesaid

that Letters of Administration to the Estate of the said Deceased hath not been granted, as he believes, that the said David Herrick at the time of his decease was possessed of divers Goods and Chattels, Rights and Credits; that the said Henry Hillicker is a Creditor to the estate of the said David Herrick to the amount of Ninety pounds ——— shillings and pence.

And that he is desirous that an administrator should be appointed to the said Intestate Estate. Petitioner therefore prayed that Letters of Administration to the intestate estate of the said David Herrick might be granted to him in default of Administration being taken out by the next of Kin to the said David Herrick deceased.

Now Therefore these are to cite and require you the next of Kin to the said David Herrick to be and appear in the said Surrogate Court to be held in the Town of Woodstock, in the said ~~District~~ County of ~~Brock~~ Oxford, and Province of Canada, on the fourth Monday in April next ensuing the date hereof, then and there to shew cause if any you have, why Letters of Administration of all and singular the Goods and Chattels, Rights and Credits, which were of the said David Herrick at the time of his death, should not be granted to the said Henry Hillicker

Dated at Woodstock, aforesaid, in the Province aforesaid, this Eighteenth day of March in the year of our Lord one thousand eight hundred and ~~forty~~ fifty six

W. Lapenotiere

Judge of the Surrogate Court.
~~District~~ County of ~~Brock~~ Oxford.

J. G. Vansittart

Registrar.