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In the goods of
Joshua James

Went to the Surrogate Court of the County of Oxford
The Petition of John Flegg the Elder of the Township
of Dereham in the County of Oxford Thomas James
Clement Dutton of the same place Thomas
Meatons and Sophia James of the Township
of Dereham in the County of Oxford widow of the late
Joshua James late of the said Township of
Dereham Thomas ^{deceased} executor of the last will
and Testament of the ^{said} Joshua James deceased
Humbly sheweth

That Joshua James late of
the Township of Dereham in the County of Oxford
Thomas deceased. died on or about the
Thirteenth day of September A.D. 1860 at the said
Township of Dereham in the County of Oxford
aforesaid. That the said deceased in his
lifetime duly made his last will and Testament
in writing bearing date the Eleventh day of
October A.D. 1859. That your Petitioners are
the Meaton and Executors named in the said
will. That 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 to which a probate of the said will is to
be granted are of or about the value of seven
hundred dollars and twenty nine dollars to
the best of your Petitioners knowledge and
belief. Wherefore your Petitioners pray that
probate of the said will of the said deceased
may be granted to them by this Honorable Court

Dated the Nineteenth day of September A.D. 1860
John Flegg

James Clement Dutton
Sophia James

In the Surrogate Court of the County of Oxford
In the goods of Joshua James deceased
I John Gregg the Elder of the Township of Oriskany in the
County of Oxford Heron make oath and say. That I
believe the paper writing hereto prepared to contain
the true and original last will and Testament of Joshua
James late of the Township of Oriskany in the County of
Oxford that I am one of the Executors therein named
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
said 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 whenever required by law so to do

Sworn before me at the Town of
Woodstock in the County of Oxford
the 17th day of November
AD 1860

J. H. [Signature]
Clerk of the Court
County of Oxford

John Gregg

In the Surrogate Court of the County of Oxford
In the goods of Joshua James deceased
I James Clement Quator of the same place
Heron make oath and say
That I believe the paper writing hereto annexed
prepared to contain the true and original last will
and Testament of Joshua James late of the
Township of Oriskany in the County of Oxford that I
am one of the Executors 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 wife do far as the same will extend and
the law require and bind me and that I will
submit a true and perfect inventory of all and
singular the personal estate and effects rights and
Credits of the said Testator and render a
just and full account of my executorship
wherein required by law so to do

Seen before me at the Town of
Woodstock in the County of Oxford James Denton
this 5th of Novr 1800

John Hapmote
Clerk in Oxford

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OATH OF EXECUTOR.

In the Surrogate Court of the County of
of *Onford*
In the Goods of *Joshua James* deceased
I *Sophia James* of the Township
of *Derham* in the County of *Onford* widow
make oath and say, that I believe the paper writing hereto prefixed, to contain the true and original last Will and Testament of *Joshua James* late of the Township of *Derham* in the County of *Onford* That I am the executor therein named

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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, whenever required by law so to do.

Sworn at *Woodstock*
in the County of *Onford*
the *15th* day of *October*
A.D., 18 *60* Before me,

Joshua James

E. F. Salton
A Comr. for taking Affidavits, &c.
in & for the County of *Onford*

In the Surrogate Court,

County of

of *Orford*

In the goods of *Joshua James*

deceased.

I *Sophia James* of the Township of *Orreham*
in the County of *Orford* *widow* make oath and say that I am *he*
the Execut *or* named in the last last Will and Testament of the late
Joshua James of the said *Township of Orreham* 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 *Seven hundred*
and Twenty nine dollars.

Sworn at *Woodstock*
in the County of *Orford*
the *15th* day of *October*
A. D., 18*60* before me,

Sophia James

E. F. Whelan
A Comm. for taking Affidavits &c.
in & for the County of *Orford*

In the Surrogate Court, of the _____ County of Onondaga

In the goods of Joshua James deceased.

I William Buskirk of the Township of Oriskany in the County of Onondaga make oath and say:

That I knew Joshua James late of Township of Oriskany, deceased.

That on or about the Eleventh day of October in the year of our Lord one thousand eight hundred and forty six I was present and did see the said Joshua James sign and declare the paper writing hereunto annexed, as and for the last Will and Testament of the said Joshua James

That I, deponent and William Attwood of the said Township of Oriskany and Samuel James of the Township of North 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 William Attwood respectively and Samuel James respectively.

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 } J. V. Buskirk
this 10th day of October
A.D., 1860

E. S. Fallon
A Com. for taking Affidavits &c in
& further proceedings

In the Supreme Court of the County of Oxford
In the goods of Joshua James deceased
I Sophia James of the Township of Dricham in
the County of Oxford widow of the late Joshua James
deceased make oath and say that I am the
executrix named in the last will of the late Joshua
James deceased, ¹⁸⁶⁰ died on or about the Twentieth
September in the Year of our Lord one thousand
eight hundred and sixty at the said Township
of Dricham and that the said deceased at
the time of his death had his fixed place of
abode at the said Township of Dricham

Sworn before me at the Town of
Woodstock in the County of Oxford
this 15th of October A.D. 1860

J. J. W.

James

E. T. James
A. Cant. for taking Affidavit &c.
do for the County of Oxford

In the name of God, Father, Son and Holy Ghost: Amen; I, Joshua James of the Township of Derham, in the County of Oxford and Province of Canada, being of sound mind and memory, do make, publish and declare this my last will and Testament, in manner following; that is to say:—
 Subject to the payment of all my just debts and funeral expenses—

I do give, devise and bequeath to Sophia Rogers formerly wife of John Rogers of the City of Hamilton, alias Sophia James my present beloved wife, all my real and personal estate whatsoever and wheresoever of which I am now possessed: together with all chattles now on, or belonging to the estate on the following conditions—

That is to say; that she is to own and use for her own, and the childrens benefit and support, all the property here devised and bequeathed as long as she remains a Widow: and my six children are to have a home and a support on the estate as long as they require it, or remain unmarried: But in case she ceases to be my Widow, and marries

Then during the remaining period of her natural life she is to have one third of the income of Estate in Money or produce as she may prefer for her dowry. At the period of her Marriage if such an event should take place before the termination of her natural life it is my will that the children shall possess my whole property and I accordingly devise and bequeath to them at the above period ^{by her marriage or her death} all my real estate as well as personal, to them Mary Ellen James my eldest daughter, Jane James my second daughter, Francis Amelia James my third daughter, Sarah James my fourth daughter, Sophia James my fifth daughter, and Isabel Victoria my youngest daughter and child. So that, their heirs and assigns forever. I further desire that when my youngest daughter attains the age of Twenty one my Executors sell the estate and divide it equally among the six children above named and if any of them should die before the period referred to then the whole to be equally divided among the surviving children, and one the portion set apart for their Mother's dowry, if she shall be then alive. I further desire that as each of my daughters attains the age of Twenty one, or marries, they shall each have a

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 descent and suitable outfit; the value
 of which to be afterwards deducted from
 their share when the property is sold and
 divided; so that each will have an
 equal proportion of the whole.

Lastly I appoint John Gregg Senior of the
 Township of Steuben County of New York, and
 Province of Canada yeoman, and James
 Denton of the same Township, County and
 Province of the said my sole Executors; and
 my wife Sophia James my sole Executrix
 of this my last will and Testament, hereby
 revoking all former wills made by me.

In witness whereof I hereunto set my hand and
 seal this Eleventh day of October in the year
 of our Lord one thousand eight Hundred, and
 fifty nine.

Signed, sealed, and declared
 as the last will and Testament
 of Joshua James, at whose
 request, in his presence, and the
 presence of each ^{other} we sign and
 subscribe our names as witnesses

Samuel James
 William Brown
 J. W. Tuckwell } Joshua James

The words interlined on the second page of her marriage
 & death were written prior to execution. S. W.

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Office of the Surrogate Clerk.

In the Goods of Joshua James
deceased, named in a certain Notice of Application for a grant of
Probate dated the fifteenth day of November
A. D. 1860 as late of the Township of Wregham
in the County of Oxford, Yeoman

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 Eleventh day of October 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 sixteenth day of November A. D. 1860

Charles Fitzgibbon

Surrogate Clerk.

To

The Registrar of the Surrogate Court,

County of Oxford

Madison

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