

85.

Thomas James late of  
the Township of Norwich  
and District of Brock  
Gentleman deceased.

Petition of Samuel James  
and Jacob Storr the  
Executors to exhibit and  
prove Will.

filed 10<sup>th</sup> Oct. 1848.

J. W.  
Registrar.

To Her Honor the Judge of the Superior Court of the District of  
New Brunswick.

Respectful Petition of Samuel James and Jacob Jones  
Executors under the last will and testament of Thomas James late of the Township  
of Warwick in the County of Gloucester Deceased.

Humbly Sheweth

That the said Thomas James duly made and published his last will  
and testament in writing bearing date on or about the eighth day of  
February in the ninth year of our said Majesty King George the fourth and appointed  
your Petitioners Executors of his said will. That your said deceased  
left goods and chattels right and credit to the amount of 12,000  
within the Province of Canada and that they are  
at the time of his decease all within the District of New Brunswick. That your  
Petitioners are desirous of exhibiting and proving the said will  
before your Honor and praying the Probate of the said will granted to  
them, therefore your Petitioners humbly pray your Honor will be pleased  
to grant probate thereof to your Petitioners. And your Petitioners as  
in duty bound will ever pray.

Woodsbrook 18<sup>th</sup> October 1840

Samuel James  
Jacob Jones

Let Probate be granted to the Petitioners.

W. Laprochere

Judge S. C.

D. B. C.

In the name of God amen Thomas James of Norwich in the District of Brock Province of Canada North America Being far advanced in years and considering the uncertainty of this mortal life do make and publish this my last Will and Testament in manner and form following (that is to say) My annuity made payable to me out of the Lands of Carrismore in the County of Carlow and Kingdom of Ireland by an Assignment of the said lands of Carrismore to my son Ephraim James which assignment for safekeeping is lodged in the hands of Benjamin B. Felton Esq. I Will and bequeath to my son William James of Sligo in the aforesaid County of Carlow or to his Children the above mentioned Annuity to be by him or them received or Collected in as full and ample a manner as I was empowered to receive and collect the same

Secondly I will and bequeath to my daughter Mary Storer all my Money or securities for Money which at my death I may be possessed of.

Thirdly I Will and bequeath to my daughter Frances James the North half of Lot No 21 in the 5<sup>th</sup> Concession of Norwich aforesaid or to her Children and in case she should have no Children she may Will or otherwise convey the said Lot to her Brothers or sisters or to their Child or Children but to no other

Fourthly I Will and bequeath to my son Samuel James my Desk

I nominate and appoint Jacob Storer and Samuel James both of the Township of Norwich aforesaid My Executors to this my last Will to see it duly executed according to the true intent and meaning thereof And by Revoking all former Wills by me made do publish this to be my last. In Witness thereof I have hereunto set my hand and seal this 8<sup>th</sup> day of February in the Year of our Lord one thousand eight hundred and forty eight

Signed sealed published and declared by the Testator in our presence who at his request subscribe our names as Witnesses in his presence and in the presence of each other

Thos. James

Witness Thomas Coates  
Witness William Tappan

No 875.

I Certify that a Memorial of this Will is registered  
in the Registry Office for the County of Oxford the  
Eighteenth day of October A.D. 1848 at the hour of three  
O'clock P.M. in Liber A for Norwich folio 39

James Ingersoll  
Registrar  
J. M. Ingersoll  
Deput. Regt.

Norwich September 5<sup>th</sup> 1849

We the undersigned Appraisers of the personal  
Estate of the late Thomas James of the Township of  
Norwich Brock District - certify this to be a correct  
Inventory of the same

Wheat 410 bushels @ 3/4	7	10	..
clothes & soap		15	..
Books		7	6
One chest		2	6
One chair		7	6
Lumber		2	6
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	\$	9	5 0

Thomas James  
James Shurtzer } Appraisers

In the Surrogate Court

Province of Canada }  
Brock District }  
to-wit: }

You Samuel James and you last Son  
of the Township of Norwich

in the District of Brock Wm. Wm.

do swear that you are ~~one~~ of the Persons named in the  
last Will and Testament of the late Thomas James  
late of the Township of Norwich in the Brock District  
deceased as Executors 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 eighteenth day of October  
1848.

W. Lap Surtou

Judge Surrogate Court

District of Brock

In the Surrogate Court

Woodstock  
to wit.

Province of Canada }  
District of Brock }

You William Topham

of the Township of Norwich in the District of Brock  
and Province of Canada Yeoman one of the subscribing  
Witnesses to the last Will and Testament of the late  
Thomas James late of the Township of Norwich in the  
District of Brock and Province aforesaid Gentleman  
deceased do swear that you were personally  
present and did see the said Thomas James  
sign seal Publish and declare the Will now  
shewn to you as his last Will and Testament  
and you the said William Topham do further  
swear that the names Thomas Butts and William

Topham \_\_\_\_\_ which appear as Witnesses  
to the last Will and Testament of the said Thomas  
James are the proper hand writing of the said  
said Thomas Butts and <sup>and that the said Thomas Butts</sup> ~~his deponent~~ <sup>jointly</sup> together  
with you signed his name 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 Thomas James  
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 eighteenth day of October  
1848.

W. Lapsnoen

Judge Surrogate Court

District of Brock

In the Surrogate Court  
District of Brock Canada West

Woodstock  
to wit. }

James Storer

of the Township of Norwich

District of Brock and Province aforesaid I do hereby  
make oath and faith that Thomas James  
late of the Township of Norwich in the District  
of Brock aforesaid Gentleman deceased  
departed this life on or about the eighteenth day  
of September in the Year of our Lord one thousand  
eight hundred and forty eight 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 Three hundred Pounds currency

James Storer

Sworn before me at  
Woodstock this eighteenth  
day of October 1848.

W. Lafontaine

Judge Surrogate Court  
D'Beauvoir