

194

Petition of Elizabeth Ann
Wigour _____

to prove the will of William
Wigour

To His Honour William Laperriere Esquire Justice of the Superior
Court of the County of Oxford

The Petition of Elizabeth Ken Kelgou of the Township of Blethen in
the County of Oxford Widow and Executrix of the late William Kelgou
late of the said Township of Blethen Yeoman deceased.

Sheweth

That William Kelgou late of the Township of Blethen in the County
of Oxford Yeoman deceased duly made and published his last will and
testament in writing bearing date on or about the first day of May in the
Year of our Lord one thousand eight hundred and fifty four, and by his
said will he appointed your petitioner and her brother Joseph Kelgou
Merchant in the Village of Ayr and Township of North Dumfries and
Robert Kelgou farmer in the said Township of Blethen his Executors
of his said will. And whereas the said William Kelgou on the said first
day of May made and published a codicil to his said will. And whereas
William Kelgou departed this life at the said Township of Blethen on
or about the third day of May in the year of our Lord one thousand

eight hundred and fifty four. without having settled or attested his said
will and codicil. And your petitioner further sheweth that the said Joseph
Kelgou and Robert Kelgou declined to act as such executors and by a
Custom Deed bearing date the eighteenth day of November in the
Year of our Lord one thousand eight hundred and fifty four. Did and
Each of them Did renounce and disclaim their and each of their right to the
interest in or to the probate and execution of the said last will and testament
of the said deceased and to the letters of administration with the solemn
annexed. That at the time of the death of the said William Kelgou

he was possessed of or entitled to divers goods and chattels rights and
credits due within the County of Oxford amounting in the whole to the sum
of £136. 2. 6. or thereabouts so far as she has been enabled

to ascertain. That the said Joseph Kelgou and Robert Kelgou having
renounced the probate of the said will your petitioner prays your Honour
might be pleased to permit her to exhibit and prove the said will, and to take
oath as to the truth of the said Articles of renunciation to the said will, and
your Honour as in duty bound will ever pray.

Newcastle the March A.D. 1855.

In
Elizabeth X Kelgou
Mort

Know All Men, by these Presents that

Wth Joseph Kilgour of
Agriculturist in the Township of North Dumfries in the County of Waterloo
and Province of Canada, Merchant, and Robert Kilgour of
the Township of Edenheim in the County of Oxford and Province
aforesaid, Yeoman, the Executors named in the last will and
testament of William Kilgour, late of the Township of Edenheim
aforesaid Yeoman, deceased, for divers good causes and considera-
tions us hereunto especially moving Have and each of us Doth
renounced and disclaimed and by these presents Do and each of us
Doth renounce and disclaim all our and each and every of our
right, title or interest in or unto the Probate and execution of the said
last will or testament of the said deceased and to the letters of ad-
ministration with the same annexed and to the intent that
this our renunciation may take due effect in Law We the said
Joseph Kilgour and Robert Kilgour do and each of us doth hereby
constitute, authorize and appoint Elizabeth Herr Kilgour of
the Township of Edenheim aforesaid, Widow, our and each of our
true and lawful Attorney, for us and in our names to appear
before the Probate or Surrogate Court or any other Judge or
person appointed for that purpose in this behalf and to pray and
procure this our renunciation to be accepted and admitted &
hereby promising to ratify and confirm all and whatsoever our
said Attorney shall lawfully do in the premises

As witness our hands and seals, this
eighteenth day of November in the Year of Our Lord, One
thousand eight hundred and fifty four.

Signed Sealed and Delivered

In presence of

J. Morrison
Joseph Kilgour

Joseph Kilgour

Robert Kilgour

In the Surrogate Court of the County of Bergen

Joseph Kellogg of Ayr in the Township of North Dumfries in the County of
Walton in the Province of New York deceased & Robert Kellogg of the
Township of Blenheim in the County of Bergen Executor of the
said deceased in the last Will and Testament of William Kellogg late of the said Township
of Blenheim. Executor deceased severally make oath and say and first the said
Joseph Kellogg severally saith that he has not intermeddled in the effects of the said
deceased And next the said Robert Kellogg severally saith that he has not
intermeddled in the effects of the said deceased

The above named deponents Joseph Kellogg and
Robert Kellogg were severally sworn before me
at Woodstock in the County of Bergen this 14th
day of March A.D. 1855

Joseph Kellogg
Robert Kellogg

W. Tapscott

Judge Surrogate Court County of Bergen

In the Surrogate Court of the County of Oxford.

Province of Canada, }
COUNTY OF OXFORD, }
TO WIT:

^{Hen} Elizabeth Wilson of the Township of
Blenheim in the County of ^{Upper} Canada

maketh oath and saith, that the late William Wilson
late of the Township of ^{Blenheim} in the said County ^{Upper}
deceased, departed this life, at the said Township on or about the
day of ^{May} in the year of our Lord, one thousand eight

^{hundred}
hundred and ^{seventy seven}

Sworn before me at ^{Bydeworth} in the County }
of Oxford, this ¹⁴ day of ^{March} A. D. 1855. }
^{above affidavit having been first read over and explained to the}
^{which she appeared fully to understand and to be true}
^{made in my presence}
W. Sabers
Judge of the Surrogate Court,
County of Oxford.

^{her}
Elizabeth Wilson
mark

In the Surrogate Court of the County of Oxford.

Province of Canada, }
COUNTY OF OXFORD,
TO WIT:

You, Robert Kellogg
Blenheim

of the Township of
in the County of Oxford

one of the subscribing Witnesses to the last Will and Testament of the late
late of the said Township deceased, do swear that
you were personally present, and did see the said ^{and heard} William Kellogg
sign, seal, publish, and declare the Will now shewn to you as and for his last Will and Testa-
ment, and you the said ^{and heard} Robert Kellogg do further swear that the names of

which appear as Witnesses to the said last Will and Testament of the said ^{and heard} William Kellogg
are the proper handwriting of them the said ^{and heard} ~~William Kellogg~~ ^{James}

who, together with
you, signed their names in the presence of the said Testator, and at his special instance and re-
quest; and you likewise further swear that you verily believe that the said ^{and heard} William Kellogg
at the signing of the said last Will and Testament ^{and}

^{and heard} was of sound memory and understanding.

So HELP YOU GOD.

Sworn before me at ^{and heard} ~~Blenheim~~ ^{and heard} ~~Oxford~~, this 14 day of ~~March~~ ^{and heard} ~~March~~

^{and heard} ~~W. Laproch~~ ^{and heard} ~~W. Laproch~~
Judge of the Surrogate Court,
County of Oxford.

in the County of }
A. D. 1855

^{and heard} ~~Robert Kellogg~~ ^{and heard} ~~Robert Kellogg~~

Blenheim September 18th 1854

Amount of Chattels and moveable property
Belonging to the Estate of The Late William Kellogg
Taken at estimate By the persons under signed

20 Cows	L 22	
" 3 Horses	40	
" 1 Dragg		10
100 Sheep	10	10
9 Lambs	3	7 6
2 Ploughs	2	
2 Lumber Waggon	17	10
1 Double Hay	3	
2 Lumber Stays	1	10
2 Sets of Harness	5	
2 Two year Old Steers	8	15
4 yearlings	7	10
3 Hags	1	10
1 Farming Mill	2	
Dung Forks & pitch forks		10
Crosscut saw		7 6
Chains		10
Whipple trees & neck yoke		10
Saw cutter		7 6
Thrashing Machine 1 Share	6	5
1 Cooking Stone & 1 Parlor Stone	5	
4 Bedd Steers, 1 Fother Bedd	4	
Parlor Table & Stand		15
Chairs & Chests	1	10
1 Saddle	1	10
Kitching Tables		10
	L 126	2 6

Robert Kellogg
James Baxter

This Instrument Witnesseth, that I William
Kelgour of the Township of Blenheim of the Province of Canada
being of sound mind and understanding do make publick and
declare this to be my last will and testament, hereby revoking and
making null and void all former last 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 executor hereinafter named, The residue of my estate
and property which shall not be required for the payment of
my just debts funeral charges and the expences attending the exe-
cution of this my will and the administration of my estate. I give

devise and dispose thereof as follows, I give and bequeath to my
Daughters Sarah Kelgour Drysdale, and Elizabeth Kelgour the sum
of Twenty five Pounds each to be paid as hereinafter mentioned,

I bequeath to my Daughter Mary Anne Kelgour Thomas, the sum of
Twenty five Pounds in the event of her being a widow at or before
the decease of my wife, I give and bequeath to my son John Kelgour

the sum of one hundred and twenty five Pounds to be paid out of
that part of my estate which consists of the north half of the tenth lot
in the north concession of Blenheim said one hundred & twenty five
Pounds to be paid within one year from the demise of my wife,

I give and bequeath to my son William Kelgour that part of my es-
tate which consists of the south west quarter of the tenth lot in the north
concession of Blenheim in all fifty acres of land burdened with the sum

of fifty Pounds to be by him paid within two years from my demise
being my bequests to my Daughters Sarah and Elizabeth the sum
of twenty five Pounds each, which said sum of twenty five Pounds

to each of Daughters Sarah and Elizabeth shall be paid by my
said son William Kelgour within the time above mentioned the
residue of the said fifty acres of land as stated above I give to my

son William Kelgour to have and to hold the same to him and to
his heirs executors administrators and assigns to his and their use and
 behoof for ever. I give and bequeath to my wife Elizabeth Kerr Kelgour

William Kelgour

all my household furniture, and her life interest in that ^{part} of my
estate which consists of the north half of the tenth lot in the ninth
concession of Blenheim, I give and bequeath to wife all my farm tools
and other ^{personal} property, I give and bequeath to my sons Joseph Hilgour
James Hilgour and Robert Hilgour to be equally divided among them
(and subject to the provision herebefore mentioned regarding the sum
of one hundred and twenty five pounds which I have bequeathed to my son John)
that part of my estate which consists of the north half of the tenth lot in the
ninth concession of Blenheim and of the Decree of Elizabeth to have
and to hold the same to them and to their heirs to have and
to have administrators and assigns to them and their use and behoof ever

And I do hereby nominate and appoint my wife Elizabeth
Hilgour and my Brothers Joseph Hilgour Merchant in the Town-
ship of Ayr and Township of North Dumfries and Robert Hilgour far-
mer in the aforesaid Township of Blenheim to be the executors of this
my last will and testament, and I do hereby ^{invest} these my executors
aforesaid with full power to alienate or sell in part or in whole
what of my estate may be required to pay my just debts and also
for paying off should they my executors think proper the before men-
tioned bequest of one hundred & twenty five pounds to my son John
William Hilgour

Signed sealed and declared by the said William Hilgour
to be his last will and testament in presence of Dr. John Morrison
and Robert Hilgour who at his request and in his presence
have subscribed their names as witnesses here to in the presence
of each other

Morrison } Dated this first day of
Robert Hilgour } May in the year of our Lord
one thousand eight hundred
and fifty four

The words "part" in the first line "personal" in the fourth line
and "my wife" in the ninth line from the top of this page was
written before signed and also "invest" in the sixteenth line from
the top

I William Kilgour named as the Testator
in the Will within contained do hereby make
this present Codicil which I do order and direct
shall be taken as a part of my within Will
and Testament and which Will I in all
respects except where it is altered by this
Codicil do hereby republish and confirm.

I give and bequeath to my eldest son John
Kilgour the sum of Twenty five pounds currency
to be paid out of the north half of Lot No Ten in the sixth
concession of Glenheim. William Kilgour

Dated at Glenheim this first day
of May in the year of our Lord
one thousand eight hundred and fifty four

in presence of
J Morrison
Robert Kilgour