

1853

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Will of Francis Layton Senior

Probat. Con: M<sup>o</sup>. 14 October 1853  
W. Lupton  
Judge Superior & Clerk  
County of Wash.



I Francis Layton Senior, of the Township of Dereham, in the County of Byford, District of Brock, and Province of Canada, Yeoman, do make and ordain this my Last Will and Testament in manner and form following, namely, I give and bequeath to my two Grandsons William and Charles Layton, in equal Shares between them, all my freehold Property, consisting of the East half of Lot N<sup>o</sup> 20 in the 2<sup>nd</sup> Concession of the Township of Dereham in the above named County & Province of Canada, being one hundred Acres be the same more or less, — I also give and bequeath to my dear Daughter in Law Helen Layton, Mother of the above mentioned William and Charles Layton, all my Personal Property, consisting of all my Cattle, Horses, Sheep, Farming Utensils, and Furniture, to have and take possession of the same immediately upon my decease, whom I request to make such use of as she may think proper, and divide amongst her Children as she pleases; and I particularly ordain and insist that her Husband Francis Layton Junior my Son, may have no controul over this Property, but should he become old and unable to work for his Bread I recommend that my Executors will keep him from utter destitution. I also will and ordain that my Daughter in Law Helen Layton may have her living off the said Land, together with her younger Children, during her natural life.

I hereby nominate, constitute and appoint, my dear Daughter in Law Helen Layton Executrix, and my dear Grandson William Layton Executor (jointly to have full Controul) of this my Last Will and Testament, hereby revoking all former Wills by me at any time heretofore made.



In Witness whereof, I have hereunto set my hand  
and Seal, the first day of October, in the Year of  
our Lord one thousand eight hundred and forty nine  
(1849)

Francis Layton  
Senior

Signed, Sealed, published, and declared, by the said  
Testator Francis Layton Senior, as and for his Last Will  
and Testament, in the presence of us, who in the presence  
of each other, have subscribed our names as Witnesses  
hereto, in the presence of the Testator.

George Chambers, J.P.

Warren Harris

Walter Harris



Derbyshire Oct 4<sup>th</sup> 1853  
 Inventory of the good and Chattels  
 of the late Francis Layton

	£	s	d
One yoke of oxen	17	10	0
" " " Steers	11	5	0
Three Cows	12	10	0
1 " "	5	0	0
young Cattle	9	0	0
Twenty five Sheep	12	10	0
Six Pigs	2	10	0
one waggon	12	10	0
" Farming mill	9	10	0
Farming utensils	1	0	0
House furniture	10	0	0
	£ 96	5	0

Valued by Warren Harris  
 George Waterman

At the request of the administrators



To His Honor William Laphontie Esquire Judge of the Supreme  
Court of the County of Oxford.

The Petition of Helen Layton of the Township of Deucham in the County of  
Oxford Widow Executrix and Administratrix of the same place Executrix of  
the last Will and Testament of the late Francis Layton <sup>deceased</sup> late of the said Township  
of Deucham deceased.

Sheweth

That the late Francis Layton <sup>deceased</sup> late of the Township of Deucham of the County of Oxford  
deceased this life at the said Township on or about the twenty sixth day of May in the  
Year of our Lord one thousand eight hundred and fifty three, having first duly made  
and published his last Will and Testament in writing bearing date on or about  
the first day of October in the year of our Lord one thousand eight hundred and fifty  
three whereby the said Testator appointed you Petitioner Executrix and Administratrix  
of his said Will. That at the time of his decease he was possessed of real and  
personal goods and chattels right and credit all within the said County of Oxford  
amounting to the sum of twenty five pounds and five shillings of lawful  
money of Great Britain as your Petitioner have been enabled to ascertain  
That your Petitioner are desirous of exhibiting and proving the said Will  
You Petitioner therefore humbly pray your Honor will be pleased to permit  
them to exhibit and prove the said Will and take upon themselves the  
oath of such Executrix and Administratrix as aforesaid And your Petitioner  
as in duty bound will ever pray.

Witness my hand and seal this 11th day of October 1853.

Witness

W. Laphontie

Helen X Layton

Witness  
William Layton



In the Surrogate Court of the County of Suffolk

Prima et Quarta  
 County of Suffolk  
 17th

You Warren Harris of the Township of Duckham in the County of Suffolk sworn one of the subscribing witnesses to the last will and testament of the late Francis Layton Senior late of the Township of Duckham in the said County of Suffolk deceased do swear that you were personally present and did see the said Francis Layton Senior sign publish and declare the will now shewn to you as his last will and testament; and you the said Warren Harris do further swear that the names George Chambers and Walter Harris which appear as witnesses to the last will and testament of Francis Layton Senior are in the proper handwriting of the said George Chambers and Walter Harris who together with you signed their names in the presence of the said Testator and at his special instance and request And you witness further do swear that you verily believe that the said Testator at the signing of the said will and testament was of sound mind memory and understanding.

Witness my hand  
 Warren Harris

In witness whereof I did shew the County of Suffolk this 11 day of October A.D. 1753

W. Lapsditch  
 Judge Surrogate Court  
 County of Suffolk

Prima et Quarta  
 County of Suffolk  
 17th

In the Surrogate Court of the County of Suffolk

You Helen Layton of the Township of Duckham in the County of Suffolk widow of the said Francis Layton Senior late of the Township of Duckham in the said County of Suffolk deceased do swear that you believe the will now shewn to you to be the last will and testament of the said Francis Layton Senior deceased that you will pay all the debts and legacies of the said deceased so far as the goods shall extend and the Law shall bind you; and that you will exhibit a true bill and perfect inventory of all and every the goods rights and credits of the said deceased together with a just and true account in the register of the Surrogate Court of the County of Suffolk when you shall be thereunto lawfully required. You further swear that the said Francis Layton Senior died at Duckham aforesaid on or about the twenty sixth day of May last. And that the goods and Chattels right and Credit of the said deceased did not in the whole exceed the sum of three hundred pounds. Witness my hand

Helen L. Layton  
 mark  
 William Layton

The above named deponents Helen Layton and William Layton were severally solemnly sworn at Woodbridge in the County of Suffolk this 11 day of October 1753 and of further Certify that the above affidavit was read by me to the above deponents who severally signed the same in my presence and appeared fully to understand the meaning thereof

W. Lapsditch Judge Surrogate Court County of Suffolk