

1808. 257

Will of Robert M. Levy

1050 Probate Com. 1 January

H. Lapinski
Judge 50

filed January 1st 1808

P. Mandelstam
per Fred

Know all men by these, that I Robert
McLewey, Yeoman of the Township of East
Oxford, in the County of Oxford and Province
of Canada, being now in a bad and alarming
state of health, but in sound mind and intell^l, do
hereby make this my last will and testament of all
my property, whether in real or personal property
which I may die possessed of; hereby revoking
all former wills and testaments, which I or any
have previously made to this date.

lot 9. 2nd Concession
Brimford

intercession
Erasmus Hall

First. I hereby bequeath to my sister
Deborah Robinson, wife of Samuel Robinson
the title in fee simple of the North part of
Lot Number Nine in the Second Concession of
the Township of Brimford, in the County of Brant
in the Province of Canada, this property I bequeath
to the said Deborah Robinson ^{containing one Acre and more} ^{be the said more for less} free and unincumbered
the said Deborah Robinson having free and
unrestrained liberty, to will the aforesaid North
part of aforesaid lot of land, at the time of
her death, to whom she may deem proper.

lot No. 9. 5th Con
East Oxford

Second. I further bequeath to my nephew
John McLewey, all my right title and interests in
Lot Number Nine in the Fifth Concession of the
Township of East Oxford in the County of Oxford
in the said Province, on the Express condition, that he
the said John McLewey, shall give and convey unto
Deborah Colerton, and Sarah Ann Colerton, daughters
of my sister Mary Ann Colerton, sufficient security
on the said property, to pay them the sum of Twenty Five
Pounds each annually, until they the said, Deborah
Colerton and Sarah Ann Colerton shall each receive
the sum of One Hundred Pounds with Interest.
Such payments ^{and interest} not to commence until after the
Expiration of Five years from the period of my
decease. And further I bequeath, as a
Charge on the aforesaid lot Number Nine in the

Fifth Concession of East Oxford aforesaid, and for which the aforesaid John Mc Leroy shall give sufficient security to my Executors hereinafter named, to pay to Admima Colerton and Esther Colerton, after the termination of the aforesaid payments to the aforesaid Deborah and Sarah Jane Colerton a further sum of Twenty Five Pounds Each Annually, ~~with~~ ~~the~~ ~~said~~ ~~Admima~~ ~~Colerton~~ and Esther Colerton shall have received. One Hundred Pounds Each with Interest, such Interest to Commence with the payments to be made.

Thirdly - I further bequeath to my niece Deborah Colerton, all my right, title, and interest in the North Half of the East Half of Lot Number Ten in the Fourth Concession of the Township of East Oxford in the said County and Province aforesaid and I also bequeath to my niece Sarah Jane Colerton the South Half of the said East Half of Lot Number Ten in the Fourth Concession of the said Township on the Condition, that they the said Deborah Colerton and Sarah Jane Colerton, shall give sufficient security on the aforesaid property to pay their mother Mary Anne Colerton the sum of Ten Pounds Each Annually, during the term of her natural life - Such payments not to Commence until Five years from the period of my decease.

Fourthly - I further will and bequeath unto John George Colerton, all my right, title, and interest in the East Half of Lot Number Three in the Sixth Concession of the Township of East Oxford, in the said County and Province - And to Charles Colerton, I bequeath all my right, title, and interest in the West Half of Lot Number Three in the Sixth Concession of the Township of East Oxford in the County and Province aforesaid.

Fifthly - I desire and bequeath that Deborah Robinson shall have a free gift, of any horse, she may choose, as a mark of my affection and esteem

Sixthly - I further direct that as soon as convenient after my decease, my Executors, shall cause a sale to be made of all my personal property, consisting of Horses, Cattle, Hogs &c. and all other personal property that may be belonging to me, the terms and Conditions of such sale, I desire and will, to be discretionary with my Executors, in order that they may be able to pay whatever debts I may be owing at the time of my decease, - the balance of the Sale if any to be applied in Equal proportions in the payment of the instalments becoming due on Lots Number Nine in the Fifth Concession, and the East^{ly} Lot Number Ten in the Fourth Concession of the aforesaid Township of East Oxford,

Sevently, I desire that my Executors shall sell the thrashing machines of John George Tolbert and John Mc Leroy, they or their heirs giving security for the payment of the amount owing Honor S. Brown, for whom it was purchased, - that is the balance that may be owing.

Eightly - I further desire, and wish it to be distinctly understood in regard to the First Clause, that if Deborah Robinson should die without making any will or disposition of the property therein bequeathed, then the property is to be sold and divided Equally amongst the nearest of kin - dead of my own family.

And for the purpose of carrying out my intention and will in the foregoing bequest, I hereby appoint and nominate Deborah Mc Leroy, James Mc Callum and Talbot's Hall, to be my Executors in carrying out the intentions aforesaid.

Read, published and declared to the testator before us at East Oxford this nineteenth day of November in the year of our Lord one thousand eight hundred and fifty seven
at Mc Callum Talbot's Hall Sarah Lane Tolbert
Robert Mc Leroy

Whereas I Robert McLevey of the Township of
Burlington in the County of Oxford
and Province of Canada have made and duly
executed my last will and Testament in writing
bearing date the nineteenth day of November in
the year of our Lord one thousand eight hundred
and fifty seven

Now I hereby declare this present
writing to be a Codicil to my said will and
direct the same to be annexed and appended thereto
and taken as part thereof

And I do hereby devise and bequeath
to the Church Society of the Diocese of Toronto and
their assigns forever all and singular that certain
parcel and tract of Land and premises situate and being in the
Township of Burlington in the County of Brant containing three
Acres and one half Acre and being composed of the North
west Corner of Lot number nine in the Second Concession
of said Township for the erection of a Church and dwelling
House for the Incumbent and for a Burial Ground thereby
securing the Graves of certain Members of my family already buried
on the said Land herein divided from interruption

and I desire and direct that the said piece of Land shall
be laid out and measured - by commencing at the North
west Corner of said Lot and thence running Northwards in an
easterly direction - thence twenty eight Rods southerly - thence
twenty Rods westerly - thence twenty eight Rods to the
place of beginning comprising the said three Acres and one half Acre

In witness whereof to this present writing which I hereby declare to be a Codicil
to my last will and Testament, and which I direct to be added thereto
and to be taken as part thereof I have hereunto set my hand and
seal this nineteenth day of December in the year of our Lord one
thousand eight hundred and fifty seven

Robert McLevey

Signed sealed published and declared by

the said Robert McLevey.

The said Robert McLevy do and for a Breve
to his last will and Testament and to be
taken as part thereof in the presence of us
whose names are hereunder subscribed as
witnesses to the signing sealing and publishing
the same and to which we hereunder subscribe
our names at the request and in the presence
of the said Robert McLevy and in the
presence of each other

James Taylor
Peter Lampran
John Jacob

In the Surrogate Court of the County of Oxford.

Province of Canada,

COUNTY OF OXFORD,

TO WIT:

You *Debrah Robinson* of the Township of *Blanchard* in the County of *Oxford Perth*

the Execut^{or} named in the last Will and Testament *of the late* *Robt W Levey* late of the said Town^{ship} *of said Oxford* deceased, do swear that you believe the Will *and bequest* now shewn to you to be the last Will and Testament *and bequest* of the said *Robt W Levey* that you will pay all the Debts and Legacies of the said deceased, so far as the Goods and Chattels, Rights and Credits of the said deceased shall extend, and by law you are bound: that you will exhibit a full, true, and perfect Inventory of the Goods and Chattels, Rights and Credits of the said deceased, in the Registry Office of the Surrogate Court of the County of Oxford, when you shall be thereunto lawfully required. And you further swear that the Goods and Chattels, Rights and Credits of the said deceased at the time of his death amounted to the sum of *Three hundred pounds or thereabouts to the best of your information and belief*

So HELP YOU GOD.

Sworn before me at *Portlock* of Oxford, this *7* day of *January*

in the County }
A. D. *1868* }

Debrah Robinson

W. Lapruntie

Judge of the Surrogate Court,
County of Oxford.

In the Surrogate Court of the County of Oxford.

Province of Canada,
COUNTY OF OXFORD,
TO WIT:

You *Valentine Hall* of the Town ~~of~~ *Woodstock*
~~East Oxford~~ in the County of *Oxford* ~~Province~~ *one of*

the Executor named in the last Will and Testament ~~and~~ *and* of the late
Robert McLevy late of the said Town ~~of East Oxford~~ *Woodstock* deceased, do
swear that you believe the Will ~~and~~ *and* ~~and~~ *and* now shewn to you to be the last
Will and Testament ~~and~~ *and* of the said *Robert McLevy* that you will
pay all the Debts and Legacies of the said deceased, so far as the Goods and Chattels, Rights and
Credits of the said deceased shall extend, and by law you are bound: that you will exhibit
a full, true, and perfect Inventory of the Goods and Chattels, Rights and Credits of the said
deceased, in the Registry Office of the Surrogate Court of the County of Oxford, when you shall
be, thereunto lawfully required. And you further swear that the Goods and Chattels, Rights
and Credits of the said deceased at the time of his death amounted to the sum of *three hundred*
pounds ~~or thereabouts~~ *to the best of your information and belief and you further swear*
that the said sum is now in the same state as it was in when the said will was executed.

So HELP YOU GOD.

Sworn before me at *Woodstock*
of Oxford, this *1st* day of *January*
1858.

in the County } *Valentine Hall*
A. D. *1858*

W. Laprerie

Judge of the Surrogate Court,
County of Oxford.

In the Surrogate Court of the County of Oxford.

Province of Canada,
COUNTY OF OXFORD,

TO WIT:

Delviah Robison of the Town *Ship* of
Blanchard in the County of *North West of Vermont*
Robison of the said Town of Ship maketh oath and saith, that the late *Robert McClocky*
late of the Town *Ship* of *East Oxford* in the said County *Green*
deceased, departed this life, at the said Town *Ship* ^{*East Oxford*} on or about the
twenty second day of *December* in the year of our Lord, one thousand eight
hundred and *forty seven*

Sworn before me at *Woodstock* in the County }
of Oxford, this *7* day of *January* A. D. 18*50*

Delviah Robison

W. Lapreuliere

Judge of the Surrogate Court,
County of Oxford.

In the Surrogate Court of the County of Oxford.

PROVINCE OF CANADA,
COUNTY OF OXFORD,
TO WIT:

You, *John Swayze* of the Town *shub* of
East Oxford in the County of Oxford

Whoman one of the subscribing Witnesses to the last Will and Testament
of the late *Robert McClevey* late of the said Town *shub*
Whoman deceased, do swear that you were personally present, and did see the said *Robert McClevey*
sign, seal, publish, and declare the Will *codicil* now shewn
to you as *a codicil* and for his last Will and Testament and you the said *John*

Swayze do further swear that the names of *George Taylor*
and Peter Sampman which appear as Witness *codicil to the said* to the said last Will and Testament of the said

Robert McClevey the proper handwritings of *them* the said
George Taylor and Peter Sampman who, together with you, signed *his* name *s* 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 *Robert*
McClevey *codicil* at the signing of the said last Will and Testament
was of sound memory and understanding.

So HELP YOU GOD.

Sworn before me at *Woodstock*
in the County of Oxford, this *twenty ninth* day of }
December A. D., 1857.

John Swayze

W. Lapin
Judge of the Surrogate Court,
County of Oxford.

To His Honor William Lawrence Judge of the Superior Court of
the County of Oxford

The Petition of Deborah Robinson Wife of Samuel Robinson of the Township of Plainfield
in the County of Perth & James Valentine Hall of Woodstock in the
County of Oxford & James M. Callum of the Township of East Oxford in the
County of Oxford Executors and Administrators of named in the Last Will
and Testament and Codicil of the late Robert M. Levey late of the said
Township of Plainfield deceased

Sheweth

That the late Robert M. Levey late of the Township of East Oxford in the County of
Oxford & Plainfield deceased duly made and published his last Will and Testament
in writing bearing date the thirteenth day of November in the year of our Lord
one thousand eight hundred and fifty seven and thereby appointed your
Petitioner ^{Deborah} Deborah Robinson (but in the said Will named Deborah M. Levey)
Executrix and your Petitioner Valentine Hall and James M. Callum Executors
That the said James M. Callum was assigned to act ^{as such executor} in the said Will, That the said Robert M. Levey afterwards namely on the
thirteenth day of December in the year aforesaid duly made and published
a Codicil to the said Will That the said Robert M. Levey departed this
Life at the said Township of East Oxford on or about the twenty second day of
December aforesaid without having altered or revoked his said Will (except
as far as the same is altered or revoked by his said Codicil) or Codicil: That
your Petitioner Deborah Robinson is a sister of the said Robert M. Levey and a
devisee in the said Will named and before her Marriage with the said Samuel
Robinson was called Deborah M. Levey and further that the Name of some
called Deborah M. Levey and has good reason for believing that the said
Deborah M. Levey named in the said Will as Executrix means your
Petitioner Deborah Robinson and that the testator's intention was that your
Petitioner Deborah Robinson was to be an Executrix of his said Will. And
your Petitioner Valentine Hall sheweth that he was the person who
drew the said Will of the said Robert M. Levey at the said Robert M. Levey's
request and received from him instructions how to draw the said Will, and that
the said Robert M. Levey directed your Petitioner Valentine Hall to insert
the name of your Petitioner the said Deborah Robinson in his said Will as one of the
Executrix of his said Will, and that in mistake he your Petitioner inserted
the name Deborah M. Levey instead. Your Petitioner further sheweth that

at the time of the death of the said Robert M. Leary he was possessed of an
 entitled to divers goods and chattels Right and Credits all within the
 County of Oxford amounting to the sum of three hundred pounds or thereabouts
 so far as your Petitioners have been enabled to ascertain. Your Petitioners
 are desirous of taking on themselves the duties ^{executive and} of the said Will and
 Codicil Your Petitioners therefore humbly pray you should be pleased
 to permit them to exhibit and prove the said Will and Codicil And your
 Petitioners as in duty bound will ever pray

Woodstock 1st January 1807.

Deborah Robinson
 Valerian Hall

In the Superior Court of the County of Oxford
 Valerian Hall of Woodstock in the County of Oxford Esquire, and
 Deborah Robinson of the Township of Palanthead in the County of Oxford Parish
 Wife of Samuel Robinson of the said Township of Palanthead generally recite as follows
 and say that the contents of the above petition are true to the best of their
 information and belief

Subscribed at Woodstock in the County of Oxford
 Oxford this first day of January 1807
 by Valerian Hall and Deborah Robinson
 W. Laprotique
 Judge Superior Court
 Co Oxford.

Valerian Hall

Deborah Robinson

Inventary of the goods and Chattels Right and Credit of Robert McHenry late of the Township of East Oxford in the County of Oxford deceased

	£	s	d
8 Sags Hops	65	0	0
5 do do	20	0	0
5 do do	5	0	0
2 Sacks Mown Hay	40	0	0
2 Sacks do	20	0	0
2 Sacks do	24	0	0
1 Bull	8	0	0
1 Stag & Leaf	16	0	0
2 Sheep	27	0	0
1 Yearling of Spring Lamb	60	0	0
1 5 year old Bull	60	0	0
1 Old man	25	0	0
Forks and Harrows	8	0	0
Cart	16	0	0
Wheat in the ground 1/2 of 7 acres	17	50	0
Superficials	6	0	0
Hay	45	0	0
2 Plovers of Spring Lamb	2	50	0
1 Plough & Sleigh	16	0	0
1 Parton Stone	10	0	0
1 Working Stone	10	0	0
Cutting out Saw & hot Chest	4	0	0
Brace & bits	2	0	0
Brush & vice	2	0	0
1 Brood Cow	1	00	0
1 Whipsaw sundries	1	0	0
1 Cross cut saw	1	50	0
Wreck of a & Whipple tree	1	50	0
2 Day Mares 70-0	130	0	0
1 Gray 3 year old Colt 50	110	0	0
2 Springlets 16	16	0	0
1 Horse	60	0	0
1 Working Machine	200	0	0

These articles are now in possession of another person they are claimed by his daughter which then is property.

Deposition of Mr. J. Matthew Solicitor

Total Realty £1034 0
 Talbot Hall

To all to whom these presents shall come James M. Callum
of the Township of East Orange in the County of Essex State of New Jersey
Greeting Whereas Robert M. Seely of the said Township of East Orange
by his will bearing date the ~~twentieth~~ ^{thirteenth} day of November in the
year of our Lord 1857 duly made and published his last will
and testament in writing and therein appointed Delmar M. Seely
Valentine Hall and James M. Callum Executors and Executors
of his said Will And whereas the said Robert M. Seely did duly
make and publish a codicil to his said Will And whereas the
said Robert M. Seely departed this life on or about the 22nd
day of December in the year aforesaid without revoking his said will
or codicil And whereas the said James M. Callum having declined
to act as Executor of the said Will the said Delmar M. Seely now
the Wife of Samuel Seely and Valentine Hall alone ruled both
as Executors and Executrix of the said Will and have requested the said
James M. Callum to make and execute the annexed instrument
contained which the said James M. Callum has agreed to do Now
know ye and these presents witness that for divers good causes and
considerations hereunto moving the said James M. Callum hath
by these presents fully absolutely and irrevocably renounced and
disclaimed all and singular the personal estate and effects of the said
Robert M. Seely and all right thereto under the said Will ^{and codicil} And also
the nomination and appointment of him the said James M. Callum
to be one of the Executors of the said Will In Witness whereof the said
James M. Callum to these presents his hand and seal hath set this
first day of January in the year of our Lord 1857.

Signed sealed and delivered in the
presence of

W. Laprotiere

James M. Callum

In the Surrogate's county the County of Orange

County of Orange

to Wit

I James McCallum of the Town of Spots
Orange in the County of Orange Virginia one of the
Executors named in the last Will and Testament of Robert
McLury late of said Orange. Whom I deceased do hereby
that I have not intermeddled and will not intermeddle
with or in the goods and effects of the said Robert McLury

Sworn before me at Woodstock in the

County of Orange this first day of

December A.D. 1807

James McCallum Jap. S. S. Co. Orange

James McCallum

year 1807