

1
1050

In the Matter of Jacob Moore
of North Norwich deceased

Testimonial of the Court of Probate
of the application of the Executor

Filed in Probate 1050

Ch. 3.

Page

At Probate - on
presented to the Court
22 February 1858
L. S. D. M. J.

572

I Jacob Moore of the Township of Norwich, in the County of Oxford in the Province of Canada (West) being weak in body, but of sound disposing Mind and memory do make and publish this my last will and Testament in manner and form following. - That is to say.

First - I will and direct my Executors herein after appointed to sell as soon as they conveniently can after my Decease enough of my personal property to pay all my just Debts and funeral Charges, and pay the same

Secondly, The notes & Book Accounts that I hold against Smith McDonald I request and direct my Executors give up to him, for the benefit of his first wife's Children, viz my Grand Children -

Thirdly; I do hereby nominate constitute and appoint my Trusty and well beloved Friends, Henry Sutton Jesse Stover and David Butterfield, all of the Township of Norwich (North) Yeomen, to be my Executors to put this my last Will and Testament in force in the following manner. That is to say - in the first place, having full confidence in the

Henry Sutton
Jesse Stover
David Butterfield

integrity and good judgment of my Executors I do
will, order and direct them, or the survivor of them to
sell my real Estate which is composed of the south half
of Lot number twenty two in the fifth concession of the
aforesaid Township of Norwich (North) and to give title
Deeds for the same, and also all of my personal effects,
and to invest the money arising from the sale of the
said property in such a manner, that they may have
at their Command at all times enough to satisfy the
demand from time to time that may be required of them
for the Support and maintenance of my Beloved Wife
Elizabeth, she being in poor health, and in order for its
accomplishment, I do hereby give and bequeath unto
my Beloved Wife Elizabeth a comfortable living during
the term of her natural ^{life} which comfortable living shall
be at the discretion of my Executors, — And as for my
three minor Children, viz. Margaret Ann, Ruth and
Elizabeth, (having full confidence in my Executors) I do hereby
place them under the particular care and guardianship
of my Executors for them to have the full control of them,
requesting them to furnish the said Children respectively
with a comfortable living and as good an education as
my property at their disposal will warrant, until

they or either of them are married, and if not married until they
 individually arrive to the age of eighteen years, and
 Lastly after the support of my wife and children
 as before mentioned, and my Executors having paid
 themselves for their services in the fulfillment of
 my requiring, the residue of my estate if any there be
 I give and bequeath in the following manner unto
 my surviving children viz Benjamin Moore, Rachel
 Smell, wife of Uriel Smell, Amanda Lewis, wife of John
 Lewis, Margaret Ann, Ruth, and Elizabeth. that is to say
 unto Benjamin, Margaret Ann, Ruth and Elizabeth
 shall have three parts, share and share alike, to Rachel
 Smell, and Amanda Lewis, two parts share share alike,
 that is as 3 is to 2, and my ^{Executors} are to sell at any time when they think
 the time will best serve my estate either sooner or later

And we being present at the
 request of testator and in the presence
 of each other have subscribed our
 names as witnesses

Edmund Lacey
 William Hulet

Signed sealed published & declared to be my
 last will and testament the thirtieth day of the
 fifth month in the year one thousand eight
 hundred and fifty seven, hereby revoking all
 former wills by me made

Jacob Moore

Henry Sutton
 John Mowbray
 David Butterfield

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Hulet

In the Surrogate Court of the County of Oxford.

Province of Canada,
COUNTY OF OXFORD,
TO WIT:

You, *William Hulet* of the Town *Shelburne* of
Shelburne in the County of *Orford*

Jacob Moore one of the subscribing Witnesses to the last Will and Testament of the late
late of the said Town *Shelburne* deceased, do swear that
you were personally present, and did see the said *Jacob Moore*
sign, seal, publish, and declare the Will now shewn to you as and for his last Will and Testa-
ment, and you the said *William Hulet* do further swear that the names of
Edmund Jeter

which appears as Witnesses to the said last Will and Testament of the said *Jacob Moore*
Edmund Jeter are the proper handwriting of *Edmund Jeter*
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 *Jacob Moore*
at the signing of the said last Will and Testament
was of sound memory and understanding.

~~So Help You God~~
and so you affirm

Sworn before me at
Oxford, this *23* day of *September*
1856 in the County of }
William Hulet
Judge of the Surrogate Court,
County of Oxford.

was mistaken testator at the time of his death and in your hands about which said Jacob Moore's
Will, that the said testator at the period of his decease was possessed of
well and sufficiently entitled to his goods and chattels rights and
credits all within the Province of Upper Canada amounting rather than
to far as your petitioners have been enabled to ascertain the sum of
five hundred and seventy two dollars and fifty five cents that your
petitioners are desirous of exhibiting and proving the said Will before you
Hon. Your petitioners therefore humbly pray you to give your permission

Henry Sutton
David Butterfield

11/11/1856 23 Sept 1856

In the Surrogate Court of the County of Oxford.

Province of Canada,
COUNTY OF OXFORD,
TO WIT:

You Jesse Stover of the Town of Woodstock
in the County of Oxford

the Executor named in the last Will and Testament of the late
Jacob Moore late of the said Town of Woodstock deceased, do

swear that you believe the Will now shewn to you to be the last
Will and Testament of the said Jacob Moore 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 five hundred

and seventy two dollars and fifty five cents or thereabouts to the best of your
information and belief

So HELP YOU GOD.

and so you affirm

Sworn before me at _____ in the County of
Oxford, this _____ day of _____ A. D.

affirmed before me at the Town of Woodstock in the County of
Oxford this second day of September A. D. 1850

Jesse Stover

D. S. M. Truman
Judge of the Surrogate Court,
County of Oxford.

that the said testator at the time of his death had in his own right and sole possession
and full and sufficient entitled to his goods and chattels rights and
credits all within the Province of Upper Canada amounting in the whole
to the sum of five hundred and seventy two dollars and fifty five cents that your
petitioners are desirous of exhibiting and proving the said Will before you
and your petitioners therefore humbly pray you to receive the same

10/10/1850

Henry Sutton
Jesse Stover
David Butterfield

In the Surrogate Court of the County of Oxford.

Province of Canada,
COUNTY OF OXFORD,
TO WIT:

You *Dana Butterfield* of the Township of
North Norwich in the County of *Oxford*. *Woman one of the*
the Execut^{ors} named in the last Will and Testament of the late
Jacob More late of the said Town *shub* *Woman* deceased, do

swear that you believe the Will _____ now shewn to you to be the last
Will and Testament _____ of the said *Jacob More* 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 *five hundred*
and Seventy two dollars and fifty five cents or thereabouts to the best of your
information and belief

So HELP YOU GOD.

Sworn before me at *Wardville* in the County }
of Oxford, this *2* day of *September* A. D. *1858* } *David Butterfield*

D. S. D. Drum

Judge of the Surrogate Court,
County of Oxford.

that the said Testator at the time of his death had in full paid the said Jacob More's
Will that the said Testator at the period of his decease was possessed of
well and sufficiently entitled to his goods and chattels rights and
credits all within the Province of Upper Canada amounting in the
value as your petitioners have been enabled to ascertain to the sum of
five hundred and Seventy two dollars and fifty five cents that your
petitioners are desirous of exhibiting and proving the said Will before you
and your petitioners therefore humbly pray you to give your assent

in witness whereof

Henry Sutton
David Butterfield

In the Surrogate Court of the County of Oxford.

Vince of Canada,
COUNTY OF OXFORD,
TO WIT:

{ Dana Butterfield
South Norwich } of the Town ^{Ship} of
in the County of Oxford ^{Greenwich}

maketh oath and saith, that the late ^{fact more}

late of the Town ^{Ship} of South Norwich in the said County ^{Greenwich}
deceased, departed this life, at the said Town ^{Ship} on or about the

day of May in the year of our Lord, one thousand eight
hundred and ^{fifty eight} and that the said ^{fact more} was at the time of her death a
good resident at the said Town ^{Ship}

Sworn before me at ^{Greenwich} in the County } David Butterfield
of Oxford, this 2^d day of ^{September} A. D. 185⁸ }

D. S. D. ^{Drum}

Judge of the Surrogate Court,
County of Oxford.

Month of May in the year of our Lord one thousand eight hundred
and fifty eight without having attended or in any way visited his said
that the said testator at the time of his death had in good plain view of his said town
Will that the said testator at the period of his decease was possessed of
well and successfully entitled to his goods and chattels rights and
credits all within the Province of New Brunswick amounting unto the
sum of as your petitioners have been enabled to ascertain the sum of
five hundred and seventy two dollars and fifty five cents that your
petitioners are desirous of exhibiting and proving the said Will before you
Oma. Your petitioners therefore humbly pray your Honour may permit

11/11/1858

Henry Sutton
David Butterfield

To His Honor David Shaw, M^cQueen's Bench Judge of the
Surrogate Court in the County of Oxford

The Petition of Henry Sutton, Jesse Stone and David Butterfield all of the
Township of North Norwich in the County of Oxford Province of New Brunswick
last Will and Testament of Jacob Moore late of the Township of Norwich in
County of Oxford in the Province of New Brunswick deceased.

Humbly Sheweth

That the late Jacob Moore late of the Township of North Norwich in the
County of Oxford Province deceased, duly made and published his last
Will and Testament writing bearing date the Twentieth day of the fifth Month
(meaning truly the Twentieth day of May) in the year of our Lord one
thousand eight hundred and fifty eight, and thereby appointed your Petitioners
Executor of his said Will. That the said testator departed this life at the
said Township of North Norwich on or about the fifth day of the
Month of May in the year of our Lord one thousand eight hundred
and fifty eight without having attended or in any way reviewed his said
Will ^{at the time of his death} and in your Petitioners' presence and knowledge
that the said testator at the period of his decease was possessed of
real and sufficient, entitled to his goods and chattels rights and
credits all within the Province of New Brunswick amounting in the whole
to as your Petitioners have been enabled to ascertain the sum of
five hundred and seventy two dollars and fifty five cents That your
Petitioners are desirous of exhibiting and proving the said Will before your
Honor your Petitioners therefore humbly pray your Honor will permit

11/2/58

Henry Sutton
Jesse Stone
David Butterfield

To His Honor David Shank, McQueen Esquire Judge of the
Surrogate Court in the County of Essex

The Petition of Henry Sutton Jesse Stone and David Butterfield all of the
Township of North Norwich in the County of Essex Province of New York
last Will and Testament of Jacob Moore late of the Township of Norwich in
County of Essex in the Province of New York deceased.

Humbly Sheweth

That the late Jacob Moore late of the Township of North Norwich in the
County of Essex Province deceased, duly made and published his last
Will and Testament bearing date the thirteenth day of the fifth month
(meaning the thirteenth day of May) in the year of our Lord one
thousand eight hundred and fifty eight, and thereby appointed your Petitioners
Executors of his said Will. That the said testator departed this life at the
said Township of North Norwich on or about the fifth day of the
Month of May in the year of our Lord one thousand eight hundred
and fifty eight without having altered or in any way revoked his said
Will, that the said testator at the period of his decease was possessed of
well and sufficiently entitled to divers goods and chattels rights and
credits all within the Province of New York amounting in the whole
so far as your petitioners have been enabled to ascertain to the sum of
five hundred and seventy two dollars and fifty five cents That your
Petitioners are desirous of exhibiting and proving the said Will before you
Honor. Your petitioners therefore humbly pray you to cause the same to be
read and proved and prove the said Will as such Executors as aforesaid.

And your Petitioners as in duty bound will ever pray.

Woodstock 2^d Febr 1858

Henry Sutton
Jesse Stone
David Butterfield

Office of the Surrogate Clerk
In the goods of Jacob Moore deceased
named in a certain Notice of Application
for grant of Probate dated the 3rd day of
September 1858 as late of the Township of
North Norwich in the County of Oxford and
Province of Canada Upper

I Charles Fitz Gibbon the Surrogate
Clerk do hereby certify that no Notice of Application
in respect of 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. ^{In a grant} And I further certify that no
Caveat or Copy of Caveat against the grant
of Probate or administration in the goods of
the said deceased has been lodged with or
received by me

Dated this Eleventh day of October 1858

Charles Fitz Gibbon
Surrogate Clerk

To
The Registrar of the Surrogate ^{Court} of the County
of Oxford.

Appraisal of the Property of Jacob
 Moore deceased 5th of Fifth-Month-1838
 South-half of Lot No 22 5th-Cen. North-
 Norwich, - valued. 3000

One Field of Winter Wheat	30 -
One Team of horses	80 -
One lot of common lumber	7 50
Twenty six Sheep & five lambs	40 -
Five Stacks Hay	40
One four years old Mare	60
Two yearling Colts	23 -
Three two years old Colts	60
Three Cows	24
Two Steers	10
One Grind Stone	.. 30
One Garning Mill	1
Hay Hooks	.. 75 -
Two sets single Harness	2 ..
One Buggy	8 ..
Three old wagons	15 ..
Two washing tubs	1 ..
One lot of Oats	3 -
One do Wheat	3 -
One lot of old Beans	.. 25 -
Five Bagg	.. 1
One Spinning wheel	.. 50
Amount carried forward	3414 50

Amount brought forward

3414 50

Five Bags Buck wheat	3	
One Barrel Vinegar	1	
Two Common Tables	4	
Two Stands Tables	1	
Five Bedsteads	8	
Five Feather Beds & Bedding	37	
Two Cook Stoves	8	
One lot Crockery	6	
One Clock	2	
One dipping glass		25-
Two hand Saws		30
Two Steel yards	2	
One lot Kettles	5	
Sundries house articles	2	
Two notes of hand against Smith McDonald		
One do against James Moore Principal (Doubtful)	18	
One do do do	16	80
One do against Clarence Smith	4	50
One do against John R Lewis (Doubtful)	20	
One Hay	3	
Three old Plows	1	

William Hales } \$ 3572 55-
Benjamin Holmes } Appraisers