

No 03

In the Goods of
James Paul

Probate

This Instrument Intestament. That I James Park of the Township of North Oxford in the County of Oxford of the Province of Canada, being of sound and disposing mind Memory and understanding do hereby publish 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. I give and devise to my beloved Wife Ellen Park all my Real and Personal Property consisting of one hundred acres of land being the North half of lot number three in the second Concession of the Township of North Oxford in the County of Oxford and Province of Canada and all goods Chattels and Stock being in the said Province to be for ever and benefit of the benefit of my son James Park until he becomes of age of twenty one year Provided the said Ellen Park my beloved Wife should survive my Child until that time, and provided my beloved Wife Ellen Park should die or become disabled before that time expires then my Executors shall see the said Province goods Chattels and Stock for the benefit of my said son James Park. After the expiration of the said time that is as soon as my said wife Park becomes of age then both my said son James Park & I have the half of the said Real and Personal Property, and my beloved Wife Ellen Park to have the other half provided she is still remain my Widow and provided my Wife Ellen Park or marry then my son James Park or have the whole of the said Real and Personal Property. And provided my son James Park should die before he becomes of age, then my beloved Wife Ellen Park or her issue should have the said Real and Personal Property provided she is still remaining my Widow. And provided that my Wife Ellen Park and my son James Park should both die before my son James Park becomes of age then the said Property both real and personal be given to my Brother John Park I need further say anything in substance. Notwithstanding in the event of his death then that the said Property both real and personal be equally divided between his family and my four sisters and their families and I do nominate and appoint Daniel Kern of the Village of Caywood in the County of Oxford and Province of Canada and Robert Telfer and Andrew Chis. Governor of the Township of North Oxford and Robert Kern and Robert Telfer and Andrew Chis. Governor of the County of Oxford and Province of Oxford and testaments signed sealed and declared by the said James Park to be his last will and testament in presence of John Collier and John Peck and Andrew Miller Esq. who at his request and in his presence have subscribed their names as witnesses hereto in the presence of each other. I do here certify John Peck his son Andrew Miller Esq. and Daniel Kern of the Township of North Oxford in the County of Oxford

James Park
In Testimony whereof I the said James Park have hereunto subscribed my name and affixed my seal this twenty first day of September in the year of our Lord one thousand eight hundred and fifty.

James Park

As Instrument Contracted That James Park of the Township of North Oxford in the County of Oxford of the Province of Canada being of sound and disposing mind memory and understanding of spirit faith and Reason this to wit 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 I give and devise to my beloved wife Ellen Park all my Real and Personal Property consisting of one hundred acres of land being the North half of lot number three in the third Concession of the Township of North Oxford in the County of Oxford and Province of Canada and all goods chattels and stock being in that said Province to be for her and benefit and for the benefit of my son James Park until he becomes of age of twenty one years Provided the said Ellen Park my beloved wife should remain my Widow until that time and provided my beloved wife Ellen Park should live or become Widowed before that time expires then my Executors shall see the said Province goods Chattels and stock for the benefit of my said son James Park After the expiration of the said time that is to wit as my said wife Park becomes of age then that my said son James Park & have the half of the said Real and Personal Property and my beloved wife Ellen Park to have the other half Provided she is still remain my Widow and provided my wife Ellen Park or marry then my son James Park or have the whole of the said Real and Personal Property and provided My son James Park should live then my beloved wife Ellen Park to have the whole of the said Real and Personal Property provided she is still remain my Widow and provided that my wife Ellen Park and my son James Park should both be before My son James Park becomes of age then the said Property left real and Personal be given to my Brother John Park James Park and my son James Park should both be before in the event of his death then that the said Property both real and Personal be equally divided between his family and my four sisters and their families and I do nominate and appoint Daniel Horn of the Village of Cayceville in the County of Oxford and Province of Canada and Robert Telfer and Andrew Allen Governor of the Township of North Oxford in the said County of Oxford and Province of Canada my Executors of this my last will and testament In testimony whereof I this said James Park have hereunto subscribed my name and affixed my seal this 9th day of July 1854 in the 4th year of Victoria one thousand eight hundred and fifty four

James Park

John Collier and John Park and Andrew Telfer his
Wife at his request and in his presence have subscribed
their names as witnesses hereto in the presence of each
other Do here certify John Park his mark
Andrew Telfer
Wife of the Township of North Oxford in the County of Oxford
and Province of Canada

Office of the Surrogate Clerk.

In the Goods of James Parks
deceased, named in a certain Notice of Application for a grant of
Probate dated the Sixteenth day of February
A. D. 1861 as late of the Township of North Oxford
in the County of Oxford Yeoman.

I, Charles Fitzgibbon, the Surrogate Clerk,
do hereby certify, that no Notice of Application in respect to 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 from the
Surrogate Court for the County of Oxford ~~respecting~~ for
a grant of Probate of a Will bearing date
the Twenty fifth day of September A. D. 1860

And I further certify, that no Caveat, or copy of Caveat
against the grant of Probate or Administration on the Goods of the
said deceased, has been lodged with or received by me.

Dated the Twentieth day of February A. D. 1861

Charles Fitzgibbon

Surrogate Clerk.

To

The Registrar of the Surrogate Court,
County of Oxford
Woodstock
B.N.

In the Surrogate Court, of the _____ Count of
of Asford

In the goods of James Park
deceased.

I Abraham Hillman of the Township
of North Asford in the County of Asford Jersey
make oath and say:

That I knew James Park
late of North Asford in the County of Asford Jersey deceased.

That on or about the twenty fifth day of September in
the year of our Lord one thousand eight hundred and Sixty I was present
and did see the said James Park sign and declare the
paper writing hereunto annexed, as and for the last Will and Testament of the
said James Park

That I, deponent and John Colyer and John Peck
of the Township of North Asford Asford and Jersey
did subscribe our names as witnesses to the execution of the said Will at the
request of the said Testator and in presence of each other; and lastly, that the
several names subscribed as witness to the execution of the said Will are of the
proper handwriting of this deponent and the said John Colyer
respectively. and that the witness John Peck made his mark thereto

And I this deponent further say that I verily believe that the said Testator at
the time of the execution of the said last Will and Testament was of sound and
perfect mind memory, and understanding.

Sworn before me at Asford
in the County of Asford
this 15 day of February
A.D., 1861

Abraham Hillman

Wm. Caughey

A Commissioner in and for the County of Asford

Unto the Surrogate Court of the _____ County of *Asford*

The Petition of *Robert Daniel Kerr* of the village of *Ingersoll* in the County of *Asford*, *Duffinmiller*, *Robert Kerr*, *Robert Selfer* and *Andrew Oliver* of the Township of *North Asford* in the County of *Asford* *Common*.

HUMBLY SHEWETH

That *James Park* late of the Township of *North Asford* in the County of *Asford*, *Common*, deceased, died on or about the *twelfth* day of *January* in the year of our Lord one thousand eight hundred and *sixty one* at *North Asford*

in the County of *Asford* and Province of Canada, and that the said deceased at the time of *his* death had *his* fixed place of abode at *North Asford* in the said County of *Asford*.

That the said deceased in *his* life time duly made *his* last Will and Testament, bearing date the *twenty fifth* day of *September* one thousand eight hundred and *sixty*

That your Petitioners are the execut^{ors} named in the said Will That the value of the personal estate and effects of the said deceased which *he* in any way died possessed of or entitled to, and for and in respect to which a Probate of the said Will is to be granted, are of or about the value of *One thousand one fifty* dollars to the best of your Petitioner's knowledge and belief, Wherefore your Petitioners pray that Probate of the said Will of the said deceased may be granted to *them* by this Honorable Court.

Dated the *fourteenth* day of *February* 18 *61*.

Daniel Kerr
Robert Kerr
Robert Selfer
Andrew Oliver

OATH OF EXECUTOR.

In the Surrogate Court of the _____ County *y*
of *Asford*.

In the Goods of *James Park* deceased

I *Daniel Heron* of the *vicarage*
of *Ingersole* in the County of *Asford*. *Magistrate*
make oath and say, that I believe th *2* paper writing hereto prefixed, to con-
tain the true and original last Will and Testament _____ of

James Park late of the *Township* of
In the Asford in the County of *Asford*. *James* That I am one of the
executors therein named _____

_____ and that I will faithfully administer the personal estate
and effects of the said Testator by paying his just debts and the legacies contained
in his will _____ so far as the same will thereunto extend,
and the law bind me, and that I will exhibit a true and perfect inventory of all and
singular the personal estate and effects, rights and credits of the Testator, and
render a just and full account of my Executorship, whenever required by
law so to do.

Sworn at *Ingersole*
in the County of *Asford*
the *14th* day of *February*
A.D., 18*61* Before me,

Daniel Heron

W. C. Cauley
a Commissioner of the Court
and for the County of *Asford*.

OATH OF EXECUTOR.

In the Surrogate Court of the _____ County 4
of Asford

In the Goods of James Park deceased

I Robert Kerr of the Township
of North Asford in the County of Asford Vermont

make oath and say, that I believe the paper writing hereto prefixed, to contain the true and original last Will and Testament _____ of

James Park late of the Township of
North Asford in the County of Asford Vermont That I am one of the
executors therein named _____

_____ and that I will faithfully administer the personal estate and effects of the said Testator by paying his just debts and the legacies contained in his will _____ so far as the same will thereunto extend, and the law bind me, and that I will exhibit a true and perfect inventory of all and singular the personal estate and effects, rights and credits of the Testator, and render a just and full account of my Executorship, whenever required by law so to do.

Sworn at Asford
in the County of Asford
the 14th day of February
A.D., 1861 Before me,

Robert Kerr

Am Couper
A Commissioner in Probate
in and for the County of Asford

OATH OF EXECUTOR.

In the Surrogate Court of the _____ County
of Asford

In the Goods of James Pate deceased

I Robert Telfer of the Township
of North Asford in the County of Asford Tennan

make oath and say, that I believe the paper writing hereto prefixed, to contain the true and original last Will and Testament _____ of

James Pate late of the Township of
North Asford in the County of Asford Tennan That I am one of the
executors therein named _____

_____ and that I will faithfully administer the personal estate and effects of the said Testator by paying his just debts and the legacies contained in his will _____ so far as the same will thereunto extend, and the law bind me, and that I will exhibit a true and perfect inventory of all and singular the personal estate and effects, rights and credits of the Testator, and render a just and full account of my Executorship, whenever required by law so to do.

Sworn at Aspsall

in the County of Asford

the 14 day of February

A.D., 1861 Before me,

W. Bauprey

Robert Telfer

A Commissioner in & for the County of Asford

OATH OF EXECUTOR.

In the Surrogate Court of the _____ County Y
of Orford

In the Goods of James Pate deceased

I Andrew Oliver of the Township
of North Orford in the County of Orford Vermont

make oath and say, that I believe the paper writing hereto prefixed, to contain the true and original last Will and Testament _____ of

James Pate late of the Township of

North Orford in the County of Orford Vermont That I am one the
executors therein named _____

_____ and that I will faithfully administer the personal estate and effects of the said Testator by paying his just debts and the legacies contained in his will _____ so far as the same will thereunto extend, and the law bind me, and that I will exhibit a true and perfect inventory of all and singular the personal estate and effects, rights and credits of the Testator, and render a just and full account of my Executorship, whenever required by law so to do.

Sworn at Orford
in the County of Orford
the 14th day of February
A.D., 1861 Before me,

Andrew Oliver

Wm. C. ...

Commissioner in N.Y.C. & Co.
in and for the County of Orford

In the Surrogate Court of the County of Asford.

In the Goods of James Park _____ deceased

I Daniel Kerr _____ of the Parish _____ of
Asford in the County of Asford Magistrate
make oath and say that I am one of the Executors named in the
last will and testament _____

of the said James Park _____ deceased

That said deceased died on or about the 11th _____ day of

January in the year of our Lord one thousand eight hundred and Eighty one

at Asford in the County of Asford and that the said deceased at the time of his

death had his fixed place of abode at the Courthouse _____ of

Asford in the said County of Asford

Sworn at Asford in the
County of Asford the 14th
day of February A.D. 1861,
before me,

A. McAuley
A Commissioner in N.R.
in and for the County of Asford

Daniel Kerr

In the Surrogate Court of the County of Oxford.

In the goods of James Park _____ deceased,

I Daniel Kerr _____ of the Village of _____ of
Ingersoll in the County of Oxford, Waggonmaker,
make oath and say that I am One of the executors named in the last
will and testament _____

of the said James Park _____ deceased

That the personal estate and effects of the said deceased, which he in any way died
possessed of or entitled to, and for and in respect to which probate of the said will
is _____ to be granted, are of or about the value of

One hundred and fifty _____ dollars

Sworn at Ingersoll in the
County of Oxford the 14th
day of February A.D. 1861,
before me,

Daniel Kerr

[Signature]
U. Commissioner and Prob. Secy.
in and for the County of Oxford