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Surrepato Court

Petition of Sam Sims

filed Oct 18th 1857

J. W. P.

J. C. P.
C. C.

2.11.8

1.10

Justice of the Peace William Lapierre Judge Superior of
the County of Otago

The Petition of Jane Sims of the Township of West Otago in the
County of Otago Middle and Sole Executrix of the last Will and Testament of
William Sims late of the said Township deceased

Forthly Sheweth

That the late William Sims late of the Township of
West Otago in the County of Otago deceased departed this life
at the said Township on or about the third day of March last that
the said William Sims duly made and published his last Will and
Testament in Writing bearing date the twenty fifth day of October in the year
of our Lord 1856 and thereby appointed you William Sole Executrix
of his said Will which said Will the said Testator neither altered nor
rescinded and that the said deceased at the time of his death was possessed of diverse goods
and chattels right and Credits all within the County of Otago
amounting to the sum of two thousand four hundred and thirty seven
and no parts of pence as you petitioner has been enabled to ascertain. And your
petitioner is desirous of settling and paying the said Will and taking on
herself the duties of such Executrix. Your petitioner therefore humbly
prays your Honor will be pleased to grant to the petitioner the said Will
and your petitioner as in duty bound will ever pray.

Woodsick 13 October 1857

Jane Sims

In the name of God Amen.

I William Sims of the Township of West Oxford
in the County of Oxford of the Province of Canada Carpenter being of sound
mind & memory do make publick & declare this my last Will & testament.

Firstly I give & bequeath to my beloved wife Jane in lieu of dower & for the
love & confidence with which I regard her all estate real or personal of
whatever kind of which I may die possessed to be used and disposed of
for her use during her life subject to the subjoined reservations.

Secondly. I give & bequeath to each of my surviving children the sum of
five shillings payable at any time after my death out of my said estate.

Thirdly. I will that any estate left to my wife after death shall be
inherited in common by my children then surviving, but if she shall
think it proper to exclude any of them by Will on account of undutiful
conduct she shall have the power of doing so, and any of them so
excluded shall have no participation in the estate so left beyond the
sum of five shillings.

Fourthly I appoint my said wife sole executrix of this my last
in Will & testament, hereby revoking all former Wills by me made.

In witness whereof I the said William Sims have to this

my last Will & testament here set my hand & seal the
twenty fifth day of October one thousand eight hundred
& fifty six

In presence of

of the Township of

Adam Dodge West Oxford
Joseph Spar West Oxford
John Lick West Oxford

William Sims

In the Surrogate Court of the County of Oxford.

Province of Canada,
COUNTY OF OXFORD,
TO WIT:

You *Jane Sims* of the Town ship of
West Ossow in the County of *Ossow* widow
the Execut^{rix} named in the last Will and Testament
William Sims late of the said Town ship *Carleton* deceased, do
swear that you believe the Will *now shewn to you to be the last*
Will and Testament *of the said William Sims* 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 *two*
Thousand four hundred and ten pounds or there-
abouts and you further swear that the said William Sims died at the said Town ship on about the third
day of March last So HELP YOU GOD.

Sworn before me at *West Ossow* in the County } *Jane Sims*
of Oxford, this *10th* day of *October* A. D. 18*67* }

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 Dick* of the Township of
West Carleton in the County of *Oxford*

William Sims one of the subscribing Witnesses to the last Will and Testament of the late
William Sims late of the said Township ^{*Carleton*} deceased, do swear that
you were personally present, and did see the said *William Sims*
sign, seal, publish, and declare the Will now shewn to you as and for his last Will and Testa-
ment, and you the said *John Dick* do further swear that the names of
Adam Dodds and *John Spoor*
Sims which appear as Witnesses to the said last Will and Testament of the said *William*
Dodds and *John Spoor* are the proper handwriting of them the said *Adam*
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 *William*
Sims at the signing of the said last Will and Testament
was of sound memory and understanding.

So HELP YOU GOD.

Sworn before me at
Oxford, this

Woodstock
day of *October*

in the County of }
A. D. 18*07* }

John Lick

Judge of the Surrogate Court,
County of Oxford.