

Surrogate Court

aff of Grafton Smith  
Administrator with  
the will annexed to  
the will of the late John  
Smith

filed 12 June 1858  
J. H. Cassatt  
Ry  
Per J. H. Cassatt

In The Surrogate Court of the County of Oxford  
Province of Canada } You Grafton Smith of the Township  
County of Oxford } East Gore in the County of Oxford  
Town } do swear that you believe the will now  
shewn to you to be the last will and  
Testament of the late Joshua Smith late of the Township  
of East Gore in the County of Oxford and Province of  
Canada your man deceased (son of the late John  
Smith of the Parish of Chesay in the County of York  
England deceased) that you will pay all the  
debts and legacies of the said deceased so far as the  
good Chattle Rights and Credits of the said deceased as  
directed in the said will and by law you are  
bound that you will exhibit a full true and perfect  
inventory of the good Chattle 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  
good Chattle Rights and Credits of the said deceased  
at the time of his death amounted to the sum of  
Eight hundred and fifty pounds or thereabouts  
so help you god

Sworn before me at the Town  
of Woodstock in the County of  
Oxford this 17<sup>th</sup> day of June  
A.D. 1858

J. Vansittart

Registrar of the Surrogate  
Court County of Oxford

Grafton Smith

This is the Last Will and Testament of me John Smith of  
the Township of East York in the County of Oxford and Pro-  
vince of Canada German (son of the late John Smith of the  
Parish of Lessay in the County of York in England deceased)  
I hereby Revoke all Wills and Bequests and all other Testa-  
mentary dispositions made by me at any time or times here-  
before - My will is that my funeral charges and Expenses  
and just debts shall be paid by my Executors hereinafter  
named - I Give Devise and Bequeath unto my stepmother  
Elizabeth Smith all my household furniture Books Maps and  
Reading and wearing apparel - I Give Devise and  
Bequeath unto Grafton Smith of the Township of East York  
aforesaid my half Brother the West half of Lot Number  
Twenty in the Fourteenth Concession of the said Township of  
East York to have and to hold to him his heirs and assigns  
for ever - subject nevertheless to the burden of the payment  
of the annuity hereinafter mentioned - I Give Devise and  
Bequeath to the said Elizabeth Smith my step mother  
the sum of thirty pounds yearly during the term of her  
natural life, and it is my will that the said yearly  
payment shall be a charge upon the said West half  
of Lot Number Twenty, and I direct that the first payment  
of the said yearly sum shall be made one year after  
my death - It is also my will that the said Elizabeth  
Smith shall have the use and occupation during her  
natural life of one room in the house on the said  
West half of Lot Number Twenty. I Give Devise and  
Bequeath to the said Grafton Smith ~~Lot Number~~ the  
West half of Lot Number Nineteen in the fourteenth  
Concession of the said Township of East York to have

and to hold to him the said Grafton Smith his Executors and administrators during the natural life of the said Elizabeth Smith my step mother, and upon her death I Give Devise and Bequeath the said West Hill of the said Lot Number Nineteen to my half sister Dina Nelson wife of John Morrison Nelson of the said Township of East Forre - To have and to hold to her the said Dina Nelson her heirs and assigns for ever - It is my Will and I direct my Executors hereinafter named to pay out of my personal Estate the following Legacies, within one year after my death, that is to say, the sum of One hundred pounds to Susan Smith daughter of my half Brother William Smith deceased - and the sum of One hundred pounds to my half sister Anne Glendenning wife of Robert Glendenning - And all the rest residue and remainder of my Estate and effects real and personal whatsoever and wheresoever which at the time of my decease I am possessed of, or entitled to, or over which I have a disposing power, I Give Devise and Bequeath unto the said Grafton Smith to have and to hold to him his heirs Executors administrators and assigns for ever - And I appoint John Wilkinson and William Nelson both of the Township of East Forre approved Geomins Executors of the my Last Will and Testament - In witness whereof I the said John Smith have hereunto set my hand and Seal this Twenty second day of February in the year of our Lord One thousand eight hundred and fifty six -

Signed Sealed published and Declared  
by the above named John Smith as and for  
his Last Will and Testament in the presence  
of us who in his presence and in the presence of  
each other and at his request have hereunto  
subscribed our names

William M<sup>c</sup>Andrew  
John Greig

x John Smith

To all to whom these Presents shall come  
we John Wilkinson of the Township of  
East Zorra yronian and William Wilson  
of the said Township of East Zorra aforesaid  
yronian send Greeting whereas John Smith  
of the said Township of East Zorra yronian  
son of the late John Smith of the Parish of Sessay  
in the County of York in England on the twenty  
second day of February the year of our Lord  
one thousand eight hundred and fifty and  
duly made and published his last will and  
testament in writing and thereby appointed  
the said John Wilkinson and William  
Wilson of his said will and whereas the  
said John Smith departed his life on or  
about the ninth day of April in the  
year of our Lord one thousand eight hundred  
and fifty eight without having executed  
his said will. Now know ye and those presents  
witness that for diverse good causes and considerations  
then hereunto moving the said John Wilkinson  
and William Wilson do by these presents fully  
absolutely and irrevocably renounce and  
disclaim all and singular the personal  
estate and effects of the said John Smith  
and all right thereto under the said last will  
and testament and also the nomination  
and appointment of them the said John Smith  
John Wilkinson and William Wilson to be  
the executors of the said will

In witness whereof the said John  
Wilkinson and William Wilson have  
herunto set their hands and seals this ninth  
day of May in the year of  
our Lord one thousand eight hundred and  
fifty eight

Signed sealed and delivered William Wilson  
in presence of

Murdoch Mac Murray

John Wilkinson

I know all surely these Presents that we Grafton  
Smith of the Township of East Zorra in the County of Oxford  
upon our Administration <sup>the goods and chattels with</sup> of the Will annexed of John Smith late of the said  
Township of Zorra deceased and John Greig of Woodstock in the said County of Oxford  
and William Donaldson of the said Township of East Zorra British  
are held and firmly bound to his Excellency Sir  
Edmund Walker Bart Baronet Governor General  
of the Province of Canada and to his successor  
and successors in office in the sum of one thousand  
seven hundred and fifty pounds of lawful  
Money of Canada to be paid to our sovereign  
Lady Queen Victoria her successor and  
successors for which payment to be well  
and truly made we bind ourselves our heirs  
and assigns our executors and administrators  
firmly by these presents sealed with our  
seals and dated at Woodstock in the said  
County this sixteenth day of August A.D. 1858

The Condition of this obligation is such  
that ~~we~~ ~~executors~~ ~~of~~ the above named Grafton Smith  
administrators of all and singular the goods chattels and credits of  
the said John Smith deceased with the will annexed and not  
administered by William Wilson and John Wilkinson the  
executors in the said Will named, do make or cause to be made a  
true and perfect inventory of all and singular the goods chattels and  
credits of the said John Smith deceased which shall have come to  
the hands possession or knowledge of the said Grafton Smith or into  
the hands of any other person for the said Grafton Smith an attested  
do exhibit or cause to be exhibited into the office Registry office of the  
Surrogate Court of the County of Oxford at or before the expiration of  
six calendar months from the date of the above written obligation  
and the same goods chattels and credits and all other goods chattels  
and credits of the said deceased at the time of his death which at  
any time after shall come into the hands or possession of the said  
Grafton Smith or into the hands and possession of any other person  
or persons for the said Grafton Smith do well and truly administer  
according to the directions and true intention of the testator expressed

in the Will to the Letters of Administration granted to the said  
Grafton Smith annexed as the Law directs, and further  
when lawfully thereunto required do make or cause to be  
made a true and just account of administration: then this  
obligation to answer beyond and of none effect, as also to remain  
in full force and virtue  
Signed and Sealed in the  
presence of

Grafton Smith

of the  
Ordinary of the Court

John Lewis

William Mulleson

In the Surrogate Court of the County of Oxford

John Grey of the Town of Woodstock in the County of Oxford Esquire  
and William Donaldson of the Township of East Zorra in the said County  
Ontario Sworn for the due administration of the Estate of John Smith  
late of the said Township of East Zorra Esquire deceased severally  
make oath and say And first the said John Grey for himself saith  
that he is worth the sum of Eight hundred and fifty pounds of lawful  
money of Canada all his debts being first paid - And next the said  
William Donaldson for himself saith that he is worth the sum of  
Eight hundred and fifty pounds all his debts being first paid.

Sworn before me at Woodstock in the  
County of Oxford this 15<sup>th</sup> day of August in  
the year of our Lord 1858 by the said  
John Grey and William Donaldson severally

John Grey

William Donaldson

1858  
Surrogate Court

John of Grafton  
Smith

Filed August 16<sup>th</sup>  
W. B. Macartney  
Clerk of the Court



In the Surrogate Court of the County of Oxford.

Province of Canada,  
COUNTY OF OXFORD,  
TO WIT:

*Grafton Smith* of the Township of  
*East Gower* in the County of *Oxford*  
*Yronan* maketh oath and saith, that the late *John Smith*  
*Oxford Yronan* late of the Township of *East Gower* in the said County of  
*West Gower* deceased, departed this life, at the said Township on or about the  
day of *April* in the year of our Lord, one thousand eight  
hundred and *fifty eight*

Sworn before me at *Woodstock* in the County }  
of Oxford, this *12<sup>th</sup>* day of *June* A. D. 18 *58* }

*J. E. Kain*  
Register Judge of the Surrogate Court,  
County of Oxford.

*Grafton Smith*

In the Surrogate Court of the County of Oxford.

Province of Canada,  
COUNTY OF OXFORD,

TO WIT: You, *Johulerciz* of the Town *Woodstock* in the County of *Oxford*  
*Solijlor* one of the subscribing Witnesses to the last Will and Testament of the late  
*John Smith* late of the ~~City~~ *Woodstock* deceased, do swear that  
you were personally present, and did see the said *John Smith*  
sign, seal, publish, and declare the Will now shewn to you as and for his last Will and Testa-  
ment, and you the said *Johulerciz* do further swear that the names of

*William McAndrew* which appears as Witnesses to the said last Will and Testament of the said *John*  
*Smith* is the proper handwriting of ~~them~~ *him*  
*the said William McAndrew* 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 *John*  
*Smith* at the signing of the said last Will and Testament  
was of sound memory and understanding.

So HELP YOU GOD.

*A. H. Vassant*  
Sworn before me at *Woodstock*  
Oxford, this *12* day of *June*

in the County of }  
A. D. 1858 }

*Johulerciz*

Judge of the Surrogate Court,  
County of Oxford.

John Honor William Esquire  
Judge of the surrogate Court County of Oxford

The Petition of Grafton Smith of the Town-  
ship of East Zorra in the County of Oxford Esquire  
Humbly sheweth

That the late John Smith late of the  
said Township departed this life at the said Town-  
ship of East Zorra on or about the thirteenth day of  
April - A.D. 1858 having first made and published  
his last will and Testament in writing on or about  
the 22<sup>nd</sup> day of February A.D. 1856 whereby he  
appointed John Wilkison and William Wilson  
both of the said Township Executors of his said  
last will and Testament. That the said John  
Wilkison and William Wilson have both  
declined to act as Executors to the said will  
and have signed a deed of disclaimer to that  
effect that your petitioner is a half brother  
of the said deceased and also principal under-  
-uary trustee under the said will. That your  
petitioner is desirous of proving the said will with  
the said having letters of administration granted  
to him with the said will annexed the said  
John Smith having left personal Estate all  
within the County of Oxford of the value of Eight  
hundred and fifty pounds or thereabouts  
~~and having left no real Estate in the County of Oxford~~

Woodstock June 15<sup>th</sup> A.D. 1858

Grafton Smith

I Grafton Smith do swear that the Contents of the  
above petition is true to the best of my knowledge  
and belief

Sworn before me at the Town of Woodstock  
in the County of Oxford

This 12<sup>th</sup> day of June A.D. 1858

J. H. Assistant, Registrar