

The last Will and Testament of
Thomas Smith deceased late of the
Township of East Dorra C. O.

Grafton Smith }
James Goodyea }
John Stevenson } Executors

Indenture Witnesses; that I Thomas
to now residing upon Lot No. eighteen in the
fifteenth concession of the Township of Cardrona, County
of Card and Province of Canada, being of sound and
sound mind, memory and understanding, do
make, 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. My Will is. First, that,
my funeral charges and just debts shall be paid
by my executors herein after named. The residue
of my estate and property which shall not be required
for the payment of my just debts, funeral charges
and the expenses attending the execution of this my
last will and testament and the administration
of my estate, I give, devise, and dispose thereof
as follows, to Wit: First, I give and bequeath to my
daughter Mary McLeod, her heirs, all that certain
parcel or tract of land, situate, lying, and being in
the Township of Cardrona, County and Province
aforesaid, consisting of the West half of Lot No. eighteen
in the fifteenth concession of the said Township; And
I give and bequeath to my daughter Sarah Stevenson
her heirs, the East half of Lot No. eighteen aforesaid;
together with all the hereditaments and appurtenances
thereunto belonging or in anywise appurtenant; to have
and to hold the premises above described to the said
Mary McLeod and Sarah Stevenson their heirs for
ever, but subject to the conditions following, namely
the said Mary McLeod her heirs, shall pay or cause to be
paid to my son John Smith his heirs the sum of
One hundred dollars, within the second year after the
decease of my wife Mary C. Smith; and the said Sarah
Stevenson her heirs, shall pay or cause to be paid to
my said son John Smith his heirs the sum of Two
hundred dollars, namely, one hundred dollars during
the second year, and one hundred dollars during the
third year after the decease of my said wife Mary
C. Smith, but my said daughters Mary McLeod
and

time Witnesseth; that I, Thomas

Carah Stevens, their heirs, shall not enter
nor take possession of the aforesaid premises
any part thereof until the decease of my said
wife Mary C Smith. — And my Will also is, that my
said wife Mary C Smith, during the term of her natural
life, shall and may, if she desires it, peaceably occupy,
possess, and reside upon, and receive and enjoy, for
her use, all the interest, profits, and income arising
or derived from and out of the aforesaid premises. —
And I also give and bequeath all the rest, residue and
remainder of my personall estate goods and chattels
of every nature or kind, to my said wife Mary
C Smith. Lastly, I do hereby nominate and appoint
Grafton Smith, James Gordger and John Stevens
my Executors of this my last will and testament
In testimony whereof, I the said Thomas Smith
have hereunto subscribed my name and affixed
my seal this seventeenth day of September in the
year of Our Lord one Thousand eight hundred and
fifty nine.

Thomas Smith

Signia sealed and declared by the said Thomas
Smith to be his last will and testament, in presence
of William Wilson and John S. Wilson, who at
his request, and in his presence have subscribed
their names as witnesses hereunto, in the presence
of each other...

William Wilson

John S. Wilson

} both of the Township of
East Green in the
County of Oxford

~~W. S. Laformiere~~
Commissary

James Gordger
Executor

John S. Stephenson
Executor

Grafton Smith
Executor

Witnessed; that J. Thomas

of Probate.

the Surrogate Court of the County of Oxford.

The Petition of James Goodger of the Township of East Zima in the County of Oxford, Ontario, James ~~Smith~~ Stephenson of the Township of Blainville in the said County of Ontario in the Will of the Thomas Smith hereinafter named called Stephenson and Grafton Smith of the Township of East Zima aforesaid of Ontario

HUMBLY SHEWETH

late of the Township of East Zima in the County of Oxford Ontario day of September fifty nine That Thomas Smith of East Zima in the County of Oxford deceased, died on or about the twenty seventh day of September in the year of our Lord one thousand eight hundred and eighty nine at the Township of East Zima in the County of Oxford

in the County of and Province of Canada, and that the said deceased at the time of his death had his fixed place of abode at East Zima in the said County of Oxford

That the said deceased in his life time duly made his last Will and Testament, bearing date the seventeenth day of September one thousand eight hundred and eighty nine

That your Petitioners are the executors named in the said Will 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 two thousand 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 thirteenth day of December 1859.

James Goodger
John Stephenson
Grafton Smith

Thomas Smith late of the Township of East Yona in the County of Oxford
of Death, place of abode, &c.

In the Surrogate Court, of the County

of Oxford

In the goods of *Thomas Smith late of the Township of East Yona in the County of Oxford deceased*

I, *James Goodger* of the Township of *East Yona* in the County of *Oxford* make oath and say:

That I am *one of* the Executors named in the last Will and Testament of the said *Thomas Smith* deceased.

That said deceased died on or about the *twenty seventh* day of *September* in the year of our Lord one thousand eight hundred and *fifty nine* at *East Yona* and that the said deceased at the time of his death had fixed place of abode at *East Yona* in the said County of *Oxford*

Sworn at *Woodstock* in the County of *Oxford* the *third* day of *September* A.D., 18*59* before me.

James Goodger

W. Lapostolle
a Commissioner in the County of *Oxford*

Affidavit of Execution of Will.

In the Surrogate Court, of the

County 4

of Orange

In the goods of Thomas Smith
deceased.

I John L. Wilson of the Township
of East Zena in the County of Orange

make oath and say:

That I knew Thomas Smith
late of the Township of East Zena deceased.

That on or about the Seventeenth day of September in
the year of our Lord one thousand eight hundred and fifty nine I was present
and did see the said Thomas Smith sign and declare the
paper writing hereunto annexed, as and for the last Will and Testament of the
said Thomas Smith

That I, deponent and William Wilson of the Township of East Zena
in the County of Orange
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 William Wilson
respectively.

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 Woodstock in the } John L. Wilson
County of Orange }
this thirteenth day of December

A.D., 1859

W. Lapsnotice
a Commissioner in Bankruptcy
of the County of Orange

Affidavit of Execution of Will.

In the Surrogate Court, of the

County of Cape

of Cape

In the goods of Thomas Smith
deceased.

I William Wilson of the Township
of East Zorra in the County of Cape May
make oath and say:

That I knew Thomas Smith
late of the Township of East Zorra May deceased.

That on or about the Seventeenth day of September in
the year of our Lord one thousand eight hundred and fifty nine I was present
and did see the said Thomas Smith sign and declare the
paper writing hereunto annexed, as and for the last Will and Testament of the
said Thomas Smith

That I, deponent and John A. Wilson of the Township of East Zorra
in the County of Cape May
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 A. Wilson
respectively.

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 Woodcockville William Wilson
County of Cape
this third day of September
A.D., 1859.

W. Laportier
Notary Public
in and for
the County of Cape

EXECUTOR.

In the Surrogate Court of the County of *Orford*
of *Orford*
In the Goods of *Thomas Smith Yronan* deceased
I *Grafton Smith* of the Township
of *East Zora* in the County of *Orford Yronan*
make oath and say, that I believe the paper writing hereto prefixed, to contain the true and original last Will and Testament of *Thomas Smith* late of the Township of *East Zora* in the County of *Orford Yronan* 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 *Wardswick*
in the County of *Orford*,
the *16* day of *December*
A.D., 1859. Before me,

Grafton Smith

Laprotiere
alorsum p[ro]curator
affidavit in the Surrogate Court in the County of Orford.

EXECUTOR.

In the Surrogate Court of the County
of *Cayuga*

In the Goods of *Thomas Smith Hoffman* deceased

I *John Stephenson* of the Township of *Blundford*

of *said Thomas Smith called Stevenson* in the County of *Cayuga Hoffman* in the Will of the late
make oath and say, that I believe the paper writing hereto prefixed, to con-
tain the true and original last Will and Testament of

Thomas Smith late of the Township of

East Zona in the County of *Cayuga Hoffman* 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 *Woodstock*
in the County of *Cayuga*
the *thud* day of *September*
A.D., 18*69*. Before me,

John Stephenson

W. Lapsentiere
a Commissioner in *Blundford* of the
County of *Cayuga*

EXECUTOR.

In the Surrogate Court of the _____ County
of *Oxford*
In the Goods of *Thomas Smith Myronian* deceased
I *James Goodger* of the *Township*
of *East Zona* in the County of *Oxford Myronian*
make oath and say, that I believe the paper writing — hereto prefixed, to con-
tain the true and original last Will and Testament _____ of
Thomas Smith late of the *Township* of
East Zona in the County of *Oxford Myronian* 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 *Woodstock*
in the County of *Oxford*
the *11th* day of *September*
A.D., 18*59* Before me,

James Goodger

W. Lapointe
a Commissioner of the
County of *Oxford*

N. L. ... of Thomas

of Property, &c.

In the Surrogate Court, *of the* County

of *Orford*

In the goods of *Thomas Smith late of the Township of East Zonia*
in the County of Orford Vermont deceased.

I *James Goodger* of the Township of *East Zonia*
in the County of *Orford Vermont* make oath and say that I am *one of*
the Executors named in the last last Will and Testament
of the said *Thomas Smith* 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 *two thousand*
dollars.

Sworn at *Woodstock*
in the County of *Orford*
the *3rd* day of *December*
A. D., 18*59*. before me,

James Goodger

ab
ing

Witnesses; that I have in the
Office of the Surrogate Clerk.

In the Goods of Thomas Smith
deceased, named in a certain Notice of Application for a grant of
Probate dated the twentieth day of December
A. D. 1859 as late of the Township of East Yorra 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 in a grant of
Probate of the Will bearing date the Seventeenth
day of September A. D. 1859

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 twenty third day of December A. D. 1859

Charles Fitzgibbon

Surrogate Clerk.

I.
The Registrar of the Surrogate Court,
County of Oxford
Woodstock

C. W.