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4. 10

Leipzig in the Museum  
Winklerstein Summerman

Probate

No 5 na 1050

Spencer's

Sub-Probate in  
present to the executor  
& executor.

22 February 1859

D. S. L. Dring

\$ 3200

In the Surrogate Court of the County of  
~~Providence~~  
 Province of Canada, You Gilbert Moore  
 County of ~~Providence~~ of the Township of North  
~~town~~ Norwich in the County of  
~~Providence~~ ~~Providence~~ You are  
 one of the Executors named in the last will and Testament  
 of the late <sup>deceased</sup> William Simmerman late of the  
 Township of South Norwich in the said County of ~~Providence~~  
 deceased. do affirm and say that you believe  
 the will now shown to you to be the last will and  
 Testament of the said William ~~Simmerman~~  
 Simmerman. That you will pay all the  
 debts and legacies of the said deceased so far as the  
 goods Chattels Rights and Credits of the said deceased  
 shall extend and they 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 ~~Providence~~ when you shall be  
 thereto lawfully required and you further  
 affirm and say that the goods and Chattels  
 Rights and Credits of the said deceased at the  
 time of his death amounted to the sum of  
~~three thousand and two hundred and~~  
~~seven hundred and~~ <sup>one thousand</sup> ~~two~~ dollars or thereabouts  
 and not to the sum of ~~three thousand~~ dollars  
 to the best of your information knowledge and  
 belief and you further affirm and say that the said deceased died at the  
<sup>said Township of North Norwich in the County of</sup>  
~~Providence~~ ~~Providence~~ and so you affirm

affirmed before me at the Town of Woodstock in the County of  
 Oxford this 24<sup>th</sup> day of  
 September A.D. 1838  
 W. Lapsmore  
 a Commissioner of the Court  
 Judge of the Surrogate Court  
 County of Oxford

Gilbert Moore



In the Surrogate Court of the County of Oxford

vince of Canada } You Andrew Moore of the Township of  
County of Oxford } North Norwich in the County of Oxford  
to-wit } You are one of the executors of the will

of the late William Winterton

Simmanman late of the Township of South Norwich  
in the said County you are deceased do affirm and say  
that you believe the will now shewn to you to be the  
last will and Testament of the said William Winterton  
Simmanman. That you will pay all the debts  
and legacies of the said deceased so far as the said  
good and Chattle with and Credits of the said  
deceased ~~shall enter into the law regard that you will execute a full~~  
and perfect inventory of the good Chattle Rights and  
Credits of the said deceased in the Registry of the  
Surrogate Court of the County of Oxford when  
you shall see thereunto lawfully required

And you further affirm and say that the good  
and Chattle Right and Credits of the said deceased  
at the time of his death amounted to the  
sum of Three thousand <sup>two</sup> ~~seven~~ hundred  
and seventy six dollars or thereabouts  
and not to the sum of four thousand dollars  
and you further affirm and say that the said  
deceased did die at the said Township of  
South Norwich in the said County

affirmed before me at the Town  
of Massabetsick in the County of } and so you affirm  
Oxford this fourth day } Andrew Moore  
of September A.D. 1858

W. Lapin

deputy Surrogate  
with D.D. in the County of Oxford



In the Superior Court of the County of Oxford

of the County of Oxford  
1858

You Lavinia Simmerman of the Township of South Norwich in  
in the County of Oxford Widow one of the Executrix named  
in the last Will and Testament of the late William Kimberlin

Simmerman on the said Will (in his said Will described as William  
Simmerman) of the Township of South Norwich in the said County of Oxford  
deceased do affirm and say that you believe the Will now shown to you  
to be the last Will and Testament of the said William Kimberlin Simmerman  
That you will pay all debts and legacies of the said deceased so far as the  
Goods and Chattels rights and credits of the said deceased will balance and by  
Law you are bound. That you will exhibit a true and perfect inventory of the  
Goods and Chattels rights and credits of the said deceased in the registry office  
of the Superior Court of the County of Oxford when you shall be thereunto  
lawfully required. And you further affirm and say that the Goods and  
Chattels rights and credits of the said deceased at the time of his death amounted  
to the sum of Three thousand two hundred and seventy six dollars or thereabouts  
and not to the sum of four thousand dollars to the best of your information  
knowledge and belief. and so you affirm

Affirmed before me at the Town of Woodville  
in the County of Oxford this 27 day of Nov

1858

W. Laporte

Notary Public for the County of  
Oxford

Lavinia Simmerman



In the Surrogate Court of the County of Oxford

In the Surrogate Court of the County of Oxford.

PROVINCE OF CANADA,  
COUNTY OF OXFORD,

You, *Alexander Brown Moore*  
*South Norwich*

of the Town *Shub* of  
in the County of Oxford

TO WIT:

*Wm m* one of the subscribing Witnesses to the last Will and Testament  
of the late *William Winsten Summerman* late of the said Town *Shub*  
deceased, do swear that you were personally present, and did see the said *William Winsten Summerman*  
*Summerman* sign, seal, publish, and declare the Will *seems annexed*  
to you as and for his last Will and Testament and you the said *Alexander*  
*Brown Moore* do further swear that the name of *Robert Hudson*

which appears as Witness to the said last Will and Testament of the said  
*William Winsten Summerman* is the proper handwriting of *Wm* the said

*Robert Hudson* who, together with you, signed *his* name - in the presence of the said Testator, and at his special  
instance and request; and you likewise further swear that you verily believe that the said *William*  
*Winsten Summerman* at the signing of the said last Will and Testament  
was of sound memory and understanding, *and that the said Will is with the same*  
*State now as when the same was executed -*

So HELP YOU GOD.

Sworn before me at *Woodstock*  
in the County of Oxford, this *24*  
*Novem* A. D., 185*6*.

day of } *A. B. Moore*

*W. Lapentree* a Commissioner  
Judge of the Surrogate Court,  
County of Oxford.

*I have more or less also a village lot in the village of*  
*Ottensville South Norwich which may be known by reference*  
*to title and to give title deeds for the same and it is my*  
*will that my Executors do use their own better judgment*  
*when and at what time they should think proper so as to*  
*make the sale of the said property as advantageous as possible*  
*for the good of my surviving family*

*Thirdly... I do hereby order and direct my Executors to sell all*  
*my personal property, except one horse, buggy, cutter and harness*  
*as soon as convenient after my Decease*  
*or if my Executors should deem it best to retain a part for*  
*a time for the use of my family it is my will that they*  
*do so.*

*Fourthly... It is my will that the money arising from the*  
*sale of my Estate both real and personal after my just debts*  
*are paid be invested safely so that the interest arising or*  
*accruing from such investment may be used for the good*  
*support and maintenance of <sup>my</sup> ~~my~~ wife and children*

*fifthly*



I William Timmerman of the Township of South Norwich in the County of Oxford in the Province of Canada (West) German being weak in body but of sound disposing mind memory and judgment Do make and Publish this my last Will and Testament in manner and form following

In the first place I will and direct my Executors hereinafter by me appointed to pay all my just debts and Funeral Charges as soon as possible after my Decease out of the proceeds of the sale of my personal property

Secondly, I will and direct my Executors to sell my real Estate Viz: the South half of Lot number two and the South west Quarter of the <sup>same lot</sup> in the Ninth Concession of the Township of Norwich one hundred and fifty acres be the same more or less also a village lot in the village of Ottensville South Norwich which may be known by reference to title and to give title deeds for the same and it is my will that my Executors do use their own better judgment when and at what time they should think proper so as to make the sale of the said property as advantageous as possible for the good of my surviving family

Thirdly, I do hereby order and direct my Executors to sell all <sup>except one house fluggy, cutter and Horroff</sup> my personal property, as soon as convenient after my Decease or if my Executors should deem it best to retain a part for a time for the use of my family it is my will that they do so.

Fourthly, It is my will that the money arising from the sale of my Estate both real & personal after my just debts are paid be invested safely so that the interest arising or accruing from such investment may be used for the good support and maintenance of <sup>my</sup> wife and children

fifthly



Fifthly... I give and bequeath unto my beloved Wife  
Lavina Zimmerman my buggy, & a choice of  
one of my horses my Cuther and single harness  
to have and to her and for her own use, forever

Sixthly I give and bequeath to my Wife Lavina an  
equal share of all my estate or the moneys accruing  
or arising from the <sup>sale</sup> of my properties as before  
mentioned, equal with my then surviving children  
when the youngest shall arrive to the age of twenty  
one years or married

Seventhly. It is my will that my Executors do  
and I hereby authorize <sup>them</sup> to draw upon the principal  
sum of the investment before mentioned and  
pay to my Children when they arrive to the age  
of twenty one years or married, the sum of four  
hundred dollars, to be paid to them individually  
at that age or married and also to draw upon the  
same if necessary for the support of any family

Eighthly... It is my Will that my Executors  
shall have a discretionary power over the moneys  
to be paid to my Children as before specified that  
if they should think proper to withhold a part of any  
one of their four hundred Dollars and pay by install-  
ments for the benefit of the said Child, it is my will  
that they should do so and when my youngest  
surviving Child shall arrive to the age of twenty  
one years or married that my <sup>executors</sup> shall at that time  
agreeable to the tenor of this my will close  
up the Estate and pay all legacies together  
with taking their own reasonable wages,



Heartly and Lastly I nominate constitute and  
appoint my well beloved and trusty Wife Lavina  
Summerman to my Executrix, And also my trusty  
friends Gilbert Snow, and Andrew Moore my  
Trustees of the Township of North Norwich, Vermont  
to put this my last will and Testament  
in force according to the true intent and meaning  
thereof

Signed Sealed, Published and Declared  
As and for my last will and Testament  
the eighteenth Day of September  
in the Year of our Lord one thousand  
eight Hundred and fifty eight  
hereby revoking all former Wills by  
me made  
Wm. W. Summerman

And we being present at the  
request of the Testator  
in the presence of each  
other have subscribed our  
names as Witnesses

Geo. B. Moore  
Robert Henderson

670  
10 210



To His Honor Daniel Clark Esquire Judge of the  
Surrogate Court for the County of Oxford

The Petition of Gilbert Moore of the Township of North Norwich in the County  
of Oxford Plaintiff and Andrew Moore of the said Township Plaintiff  
vs the Executor named in the last Will and Testament of William  
Winters in Summerman late of the said Township, Defendant  
Duly Sheweth

That the late William Winters Summerman late of the said  
Township Plaintiff deceased duly made and published his last  
Will and Testament in Writing bearing date on or about the eighteenth  
day of September in the year one thousand eight hundred and fifty  
four and therein appointed your petitioner and Larina Summerman Justice Executor and  
Executrix of his said Will. That the said deceased at the time of his  
death was and had for some time previously been a resident of the  
said Township of South Norwich. That the said deceased at the time of  
his death was possessed of divers goods and chattels, rights and credits  
within the said County amounting to the sum of \$2,700 or thereabouts so  
far as your petitioner have been enabled to ascertain. That the said  
deceased departed this life at the said Township of South Norwich on or  
about the 20<sup>th</sup> day of September without without having executed his  
said Will or without having attended the same. Your petitioner therefore  
prays you should rule in favour of him and the said  
Larina Summerman probate of the said Will And your petitioner  
as in duty bound will ever pray.

Woodsstock 24<sup>th</sup> Sept 1850

Gilbert Moore  
Andrew Moore  
Larina Summerman

7. 9. 1850 of Oct. 1850  
caused to be recorded



Office of  
The Surrogate Clerk

In the goods of William Winterstein Summerman  
deceased, named in a certain notice of  
application for grant of Probate  
dated the Twentyfourth day of September 1858  
as late of the Township of South Norwich in  
the County of Oxford, Vermont

I Charles Fitzgibbon the Surrogate Clerk do  
herely 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, for 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 Fourth day of November 1858

Charles Fitzgibbon  
Surrogate Clerk

To  
The Registrar of the Surrogate Court  
of the County of Oxford  
Woodstock  
Vt.