

1<sup>st</sup> October 1841

Let Vice & Testament  
of  
George Swarts.

Probate granted to  
Executors -

29<sup>th</sup> March 1842

John G. Vassillant  
Resident Surgeon  
Court - District of  
Brook -

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No 10 -

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In the name of God Amen. I George Swarts of the  
Township of Mendon in the County of Bedford in the District  
of North and Province of Canada. German being weak  
in body but of sound and perfect mind and being  
blessed be almighty God for the same do make and  
publish this my last will and Testament in manner  
and form following. That is to say. First. I will and  
devise to Brother James Henry Swarts his heirs and  
assigns for ever the West half of my farm in the  
first conception of the aforesaid Township of Mendon and  
known as the North West quarter of lot number fourteen  
in the said first conception of Mendon aforesaid together  
with all houses out houses woods and water thereon  
except being and being and all the appurtenances  
thereto belonging. Subject however to the reservations  
hereafter mentioned in favour of my sister Mary  
Catherine Swarts. Secondly I will and devise to my  
sister Mary Catherine Swarts her heirs and assigns  
for ever the East half of my said farm in the first  
conception of Mendon aforesaid which said East half  
contains by actual measurement twenty five acres be  
the same more or less. I also will that my Brother  
James Henry Swarts shall within eighteen months  
after being required so to do by my sister Mary Catherine  
Swarts for the use of my said sister build or erect a comfortable  
good and substantial frame dwelling house of the  
following dimensions. That is to say. at the least  
sixteen feet in front by twenty four feet in depth  
with twelve feet posts the whole to be finished  
in a neat and workmanlike manner within the  
time mentioned above. The said house to be erected

in such part of the above mentioned and devised  
East half of my farm as my sister Mary Catharine  
Swartz shall desire or require the whole expense  
of erecting building and finishing said house to be  
discharged and paid by my Brother James Henry  
Swartz out of the goods and chattels hereafter bequest  
eth to him by me the said house when finished  
to be for the sole use benefit and behoof of my said  
sister Mary Catharine Swartz her heirs and assigns  
for ever. I further will and desire that until  
the above mentioned house is finished as above  
mentioned my sister Mary Catharine Swartz shall  
keep possession of and enjoy free of all rents costs  
and charges the west wing or rooms of the dwelling  
house now occupied by me. I also give and bequest  
to my sister Mary Catharine Swartz two cows not  
exceeding six years of age my silver with six  
good year sheep not exceeding four years of age two  
good hogs to be chosen by my sister also my three  
year old mare with together with the undivided half  
of all grain and produce raised on the farm the  
year preceding my decease as also all the household  
and kitchen furniture with the exception of the clock  
I also will and bequest to my sister Mary Catharine  
Swartz during the natural term of her life the one  
undivided one fourth part of all the apples that  
shall grow in the orchard or arbor situated and  
growing on the above mentioned West half of my  
farm devised to my Brother James Henry Swartz  
I further will that my sister Mary Catharine Swartz  
shall during the natural term of her life have the

full and free use and benefit of the East half  
of my barn now erected on the west half of my farm  
devise to my Brother James Henry Swarts. It also  
full and free privilege for myself and wife to the  
said East half of the barn with the necessary roads  
to the said East half of the barn. We I give and bequeath  
to my nephew George Swarts one two and one half  
to be paid by my Brother James when the said George  
Swarts son of my Brother John Swarts shall have  
attained the age of years and lastly as to all the  
rest residue and remainder of my personal estate  
goods and chattels of what kind and nature  
soever I give and bequeath to my Brother James  
Henry Swarts and I hereby appoint my Brother  
William Swarts and Philip Swarts both of the  
Township of Mendon aforesaid Executors of this my  
last will and Testament hereby revoking all  
former wills by me made. In witness whereof  
I have hereunto set my hand and seal the first  
day of October in the year of our Lord one thousand  
eight hundred and forty one.

Signed sealed and published  
and declared by the above named George Swarts  
George Swarts to be his last will  
and testament in presence of us  
who have hereunto subscribed  
our names as witnesses in presence  
of the Testator and each other  
Jimmie Cousins  
George Cousins

This  
George Swarts  
Mark

Province of Canada }  
District of Beaufort } In the Surrogate Court

You Jeremiah Cowin of the Township of

Windsor in the District and Province aforesaid one of the  
Subscribing Witnesses to the last will and Testament of  
George Smith late of the same Township deceased do swear  
that you were personally present and did see the said  
George Smith sign by affixing his Mark thereto. and pub-  
-lish and declare the Paper now shown to you as  
his last will and Testament and you the said Jeremiah  
Cowin do further swear that the handwriting and signature  
which appears as the other witness to the said last will  
and Testament of the said George Smith is the proper  
handwriting of the said George Smith who together  
with you signed your names in the presence of the  
said Testator at his special Instance and Request  
and you likewise further swear that you truly  
believe that the said George Smith at the signing of the  
said last will and Testament by affixing his Mark thereto  
was of sound Mind memory and understanding and that  
the same was read to and understood by him before  
he affixed his Mark as aforesaid thereto. To help you God  
I swear before me at Woodstock

Jeremiah Cowin

this 26<sup>th</sup> of March 1842

John Arnold (Surrogate)

An Inventory of the goods and  
 chattels of George Swartz late of the  
 Township of Wilmheim in the District  
 of Brock and Province of Canada  
 deceased

	£	s	d
Horses - - - - -	27	10	0
Cattle - - - - -	11	5	0
Sheep - - - - -	3	5	0
Hops - - - - -	1	15	0
Grain - - - - -	5	00	0
Farming utensils - -	7	10	0
one watch - - - - -	1	5	0
Whitish Ammunition	2	10	0
one old sugar bottle	0	10	0
	£	60	10

Wilmheim the 28<sup>th</sup>  
 March 1842

Philip Swartz

Province of Canada } In the Surrogate Court  
District of Brant }  
Woodsbuck to use } You William Swarts and Philip Swarts  
both of the Township of Muskum in the  
District of said Farmen do swear that you are the  
persons named in the last will and Testament of  
George Swarts late of the said Township of Muskum  
deceased as Executors thereof. That you believe the Paper  
now shown to you to be the last will and Testament  
of the said George Swarts deceased, that you will  
pay the debts and liabilities of the said deceased so  
far as the goods and chattels shall extend and the  
Law shall find you, and that you will exhibit a  
full true and perfect Inventory and account of all  
the goods and Chattels Rights and Credits of the said  
deceased into the Registry of the said Surrogate Court  
when you shall be thereto lawfully required.  
In hope you God

Witness my hand at Woodsbuck  
this 29<sup>th</sup> day of March  
1842 - John Arnold

Philip Swarts  
William Swarts  
Wm

[Surrogate]