

1846 - 9. Month

WOODSTOCK

I do hereby certify that  
James Henry Swarts  
Inspector

No 27

District of

and Province

District of Brock, Canada West.  
IN THE EXERCISE OF THE POWER.

IN THE SURROGATE COURT.

District of Brock, Canada West.

WOODSTOCK,

TO WIT:

} Alexander Milmine

Of the Township of *Blenheim* District of *Brock* and Province  
aforesaid, maketh oath and saith that *James Henry Swarty*

*late of the Said Township of Blenheim*

*Farmer*

departed this life on or about the *First* day of *April*  
in the year of our Lord one thousand eight hundred and *Forty Three* and that to  
the best of *his* knowledge and belief, as far as *he* hath been able to discover  
the Goods and Chattels, Rights and Credits of the said deceased, within the said District  
of *Brock* did not exceed the sum of *Twenty two Pounds*  
*Seventeen Shillings & 6<sup>d</sup>* Pounds, Currency.

Sworn before me at Woodstock, this *ninth* day of *March 1844*

*John Arnold*

Surrogate. District of Brock.

**IN THE SURROGATE COURT.**

PROVINCE OF CANADA,  
**DISTRICT OF BROCK,**  
WOODSTOCK, TO WIT:

YOU *William S Stewart*  
of the Township of *Blenheim*

in the District of *Brock* and Province of Canada, *Farmer* one  
of the subscribing witnesses to the last Will and Testament of the late *James Henry Stewart*  
of the Township of *Blenheim*  
in the District of *Brock* and province aforesaid -

Deceased, do swear that you were personally present and did see the said *James Henry Stewart*  
sign, seal, publish and declare the *paper*  
now shown to you as his last Will and Testament; and you the said *William S Stewart*  
do further swear that the names *Peter Nelson Weaver*

which appear as Witnesses to the last Will and Testament of the said *James Henry Stewart* <sup>is</sup> are the proper handwriting of them the said *Peter Nelson Weaver*

<sup>his</sup> signed their names 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 *James Henry Stewart* at the signing of the said last Will and Testament was of sound mind, memory and understanding.

**So Help You GOD.**

Sworn before me at Woodstock, this *ninth*  
day of *March* 184 *6*

*William S Stewart*

**IN THE SURROGATE COURT.**

PROVINCE OF CANADA,  
DISTRICT,  
**Woodstock, to wit:**

YOU *Alexander McInnis*  
of the Township of *Blenheim*

*Farmer and* in the District of *Brock*  
and Province of Canada, *Farmer* do swear that you are the person named in the  
last Will and Testament of the late *James Henry Stewart*

of the Township of *Blenheim* in the *Brock* District, and  
Province aforesaid, *Farmer* - deceased as Executor thereof, that you believe the paper now shown to you to be the said last Will and Testament of the said Deceased; that you will pay all the debts and legacies of the said deceased so far as the Goods and Chattels shall extend, and the law shall bind you, and that you will exhibit a true, full, and perfect Inventory of all and every the goods and chattels, Rights and Credits of the said deceased, together with a just and true account into the Registry of the said Surrogate Court, when you shall be thereto lawfully required—

**So Help You GOD.**

Sworn before me at Woodstock, this *ninth*  
day of *March* 184 *6*

*Alexander McInnis*

I James Henry Swarts of the Township  
of Blenheim County of Oxford, Brink Dis-  
trict and Province of Canada, Georgian,  
considering the certainty of death and the  
uncertainty of life at present labouring  
under severe bodily affliction, but of sound  
mind and judgment thanks be to God,  
the Almighty for all his mercies, and wish-  
-ing to dispose of my property in the follow-  
-ing manner, I do hereby make and publish  
this my last will and testament.

First I pray Almighty God to have mercy  
on my ever dying soul, Amen.

Secondly I wish all my lawful debts to be  
paid, Further I bequeath and devise to my  
wife Catherine the west half of the North  
West quarter of Lot number Fourteen in the first  
concession of the Township of Blenheim aforesaid  
together with all privileges to the same belonging  
subject nevertheless to the following conditions  
namely that in the event of my wife Cath-  
-erine Swarts marrying a second time or at  
her death, that then and in either case the  
above named property shall be sold and the  
proceeds thereof be equally divided amongst  
my four Brothers and Sister, namely Ann  
Servier, Peter Swarts, Philip Swarts, William  
Swarts, John Swarts or their heirs, and further

I will and bequeath to my Wife Catherine Swarts Two Cows, Six Sheep and all my House hold furniture and Goods, I also will and bequeath to my Sister Mary Catherine Swarts the privilege of Occupying and possessing the apartments in my Dwelling house, the same she now lives in subject nevertheless to the control of my Executors hereinafter named, further I do hereby name and appoint my Brothers William Swarts of the Township of Pleurville Green and Alexander Milvine of the same place Executors of this my last Will and Testament hereby revoking all former Will or Codicils made by me I declare this to be my last Will and Testament, in Witness whereof I have hereunto set my hand and seal this Twentieth day of March in the Year of our Lord one Thousand Eight Hundred and Forty Three.

James Henry Swarts

Signed Sealed published  
and declared by the above  
named James Henry Swarts  
to be his last Will and Tes-  
tament in the presence of  
us who have hereunto sub-  
scribed our names as wit-  
nesses, and in the presence  
of the Deputee and each  
other Peter Nelson of Governor  
William J Swarts

## Inventory

Of the Goods and Chattels of the late  
James H. Sweet's Decease

Taken April 12<sup>th</sup> 1843

one horse	8-15--
one young Mare	11-5--
one Old Mare	8-15--
one two year Old Steer	1--"--
one year Old Calf	" 12-6
Seven Hogs	1-15--
one three year Old Heifer	2--"--
one Plough	" 10--"
one Harrow	" 10--"
one Old Farming Mill	1 10--"
one Set of Old Waggons	" 15--"
one Shovel	" 2-6
one Young Pork	" 2-6
one Ax	" 10--"
one Old Saddle	" 5--"
	<u>£ 32-17-6</u>