

No 26

In the

Case of Tompkins

Private granted

8 July 1844

W

The following Items of Property belonging to the Estate of the late Caleb Tompkins deceased appraised by Ephraim Cook and Elias Snyder this 27th April 1844 at Norwich

Note of Hand dated 24 January 1844	£ 1.. 7.. 9
Note do - - - - - 24 Sept 1842	2.. 10.. 0
do do - - - - - 7th Octr 1842	17.. 6
do do - - - - - 4th Octr 1842	1.. 0.. 9
do do - - - - - 4th Octr 1842	2.. 13.. 0
do do - - - - - 22 Sept 1842	1.. 6.. 0
do do - - - - - 3 Sept 1842	3.. 15.. 0
do do - - - - - 27th Sept 1842	1.. 13.. 0
do do - - - - - 6th Sept 1842	1.. 10.. 0
6 Acres of Wheat - £ 1.. 10 per Acre	9.. 0.. 0
the undivided half of 15 Acres of Wheat	11.. 5.. 0
1 Cow	2.. 10.. 0
1-2 year old heifer	2.. 0.. 0
The above Notes considered doubtful	£ 41.. 27.. 32

The above property appraised by us

Elias Snyder
Ephraim Cook

Brought over ————— 737 5 0

1 Calderon Kettle	1	"	"
1 Six part D ^o	"	15	"
1 Scaper	"	10	"
*50 Bushels of Apples	4	10	"
Hammers, Corks, Tubs, Pails, old Iron Hoes, Shovels, Spades, Augers, Saws and Axes	2	"	"
1 Note of Hand against William Fowler & Ira Wadwin dated 6 th Oct. 1843	3	5	"
1 Note of Hand against Benjamin Hovey & John Jeffrey dated 12 th July 1843	1	15	"
1 Note of Hand against Baldwin Merrill & William Merrill dated 24 th July 1843	53	17	4
1 Note of Hand against George Westfall dated 22 nd Oct 1842	6	13	4
1 Note of Hand against Green Stringham dated 9 th Feb. 1831	8	6	11
Enclosed on same dated 11 th July 1832	25	8	1/2
1 True Will against Michael Storr J ^r dated 10 th Oct. 1843 to be pd in Goods	12	6	
1 Note against Michael Storr J ^r dated 17 th June 1843	1	5	"
1 Note against George Parker dated 1 st Jan. 1833	2	5	"
1 Note against Hershin Dutton dated 21 st Sept 1843	24	"	"

The above Notes we consider Doubtful
we hereby certify that the above is a \$68 0 1
true Inventory of all the property
of the late Caleb Tompkins deceased
taken by us the appraisors this 29th day of
November at Norwich N^h 1843
 Elias Snyder } Appraisors
 Abraham Cook }

An Inventory of the Real and Personal Estate
of the late Caleb Tompkins Deceased

	£		
Home Farm on Lots No. 6 & 7 in 3 ^d Conception	650	"	"
South parts - - - - -			
1 Black mare - - - - -	12	10	"
1 Bay mare - - - - -	10	"	"
1 Cow - Red & White - - - - -	2	10	"
1 Cow Red White face - - - - -	2	"	"
9 Sheep at 5 $\frac{1}{2}$ per head - - - - -	2	5	"
1 Tanning Mill - - - - -	2	"	"
1 Wagon - - - - -	3	15	"
1 Sleigh - - - - -	1	5	"
1 Sider Mill - - - - -	6	5	"
1 Ox - - - - -	4	10	"
1 2 year old Steer - - - - -	1	10	"
1 Set of Harness Old - - - - -	1	"	"
1 Grind Stone - - - - -	"	5	"
1 Pair Sary Sticks - - - - -	"	10	"
1 Hay Knife - - - - -	"	3	9
2 Sifts & Smooths - - - - -	"	10	"
1 String Sheep Wells - - - - -	"	5	"
1 Drag & Teeth - - - - -	"	12	6
2 Ploughs - - - - -	"	15	"
1 Cow Hide - - - - -	"	12	6
" Ho Mr. Maher - - - - -	"	3	9
5 Forks - - - - -	"	10	"
2 Logging Chains - - - - -	"	15	"
Iron Chains - - - - -	"	2	6
" About 100 Bushels of Wheat - - - - -	12	10	"
" Do 100 Do Oats - - - - -	4	10	"
" Do 30 Do Corn - - - - -	3	"	"
9 Tons of Hay - - - - -	12	10	"
	737	5	0

I Caleb Tompkins of the Townships of Norwich, County of Oxford, District of Brock, and Province of Canada Yeoman, considering the uncertainty of life, and being of sound mind and memory, do make and publish this my last will and testament in manner and form following: that is to say:

First. I will and direct, that my funeral charges and all my just debts shall be paid as soon as conveniently may be after my decease.

Second. I will and bequeath to my wife Sarah Tompkins for and during the term of her natural life my house and lot of about ten acres, on the lot number eight, in the third Concession of Norwich, together with as much household furniture, beds bedding, farming implements, and live stock as may be necessary for her comfort through life. And I also give and bequeath unto her during her natural life the full sum of thirty pounds to be paid to her yearly and every year during the term of her natural life.

I also will and direct, that a Barn and Woodhouse shall be built on the said lot; and a well dug and properly finished for the convenience of my said wife; as soon as the same can be conveniently done. It is also my request, that my Executors turn their friendly care, to my said wife and from time to time give advice and direction as they may see necessary. —

Third. And whereas I have already given a Bond for a Deed of the large Home and lot called the Tavern Hand, for which, I hold against the purchasers nine several Notes of Hand for twenty five pounds each; Now it is my will that as long as my son John shall live, the payments made on account of the said Notes, shall be paid to my said son John, and should he die previous to the expiration of the time of payments of the last Note; I will and direct that what remains unpaid shall be equally divided among my other seven children. —

Fourth. I give and bequeath to my daughter Catharine Stover the sum of Twelve pounds and ten shillings, lawful Currency, which sum I give as a token of my regard, for her ready and dutiful obedience to me at all times, and for her willingness to receive my advice, to be paid to her as herein after mentioned. —

Fifth. I give and bequeath to my daughter Sarah Mason, the sum of five pounds, lawful currency to be paid as hereinafter mentioned.

Sixth. I will and direct, that my daughter Jane shall have an outfit equal in amount to what the rest of my daughters have had.

Seventh. I will and direct, that my Executors shall dispose of the half acre of land which I now own, lying directly East of the Friends' meeting house in manner following; they shall sell to Ephraim Cook, at a fair price, which I leave to their judgment, the East half of the said half acre, and the West half of the said half acre shall be and for ever remain as a family burying ground.

Eighth. I will and direct, that as soon as conveniently may be after my decease, that my home farm, Stock, farming implements, Household furniture &c (excepting such as may be necessary for the use of my said wife as aforesaid) be sold to the best advantage, in which business, I recommend to my Executors their greatest discretion and good management. Out of the proceeds and profits of which, the above named annual Stipend is to be paid to my wife, and the above named two legacies to my two daughters stated in articles fourth and fifth, and the outfit to my daughter Jane mentioned in Article sixth; And what remains I will to be fairly and justly divided between my sons and daughters, viz: John, Caleb, Catharine, Mary, Hannah, Sarah, Rachel and Jane; and if Caleb should die previous to such division, I will that his share be equally divided among the survivors.

Ninth. I will and direct, that after the death of my wife the lot of land, Buildings, furniture, implements Stock &c. above bequeathed to her, shall be sold to the best advantage, and the proceeds equally divided among my children as above mentioned: to whom also, in equal shares I hereby give and bequeath all the rest and residue of my Estate not hereinbefore disposed of.

Tenth. I hereby will and direct, that if any of my children after my decease demand from my Estate any pay for services rendered to me while living, the same amount shall be deducted from his or her legacy.

Eleventh. — As I have some fears that a proper attention to the concerns of this world, may possibly be neglected by my Son in law William Moore if it is my desire, that my Executors exercise their judicious care in the bestowal of the legacy to my daughter Rachel, and give or withhold the same so that, if possible, my daughter may have the sole benefit of the same, and that it may not be wasted or put to any improper use.

Lastly. I do hereby nominate and appoint William Stover and Benjamin Holmes Executors to this my last will and testament, hereby revoking all former and other wills by me, at any time heretofore made. In witness whereof I have hereunto set my hand and seal this twenty fourth day of July in the year of our Lord one thousand eight hundred and forty three.

Signed sealed published and declared by the said Caleb Tompkins the Testator as and for his last will and testament, in the presence of us, who, at his request, in his presence, and in the presence and sight of each other have subscribed our names as Witnesses //

Caleb Tompkins

John A. Tacey
John R. Merrill
E. W. Westfall

IN THE SURROGATE COURT.

PROVINCE OF CANADA, } YOU *John R Merrill*
DISTRICT OF BROOK, } of the *Township* of *Norwich*
WOODSTOCK, TO WIT: }
in the District of *Brook* and Province of Canada, *Yeoman* one
of the subscribing witnesses to the last Will and Testament of the late *Caleb*
Tompkins of the *Township* of *Norwich*
in the District of *Brook* and province aforesaid *Yeoman*
Deceased, do swear that you were personally present and did see the said *Caleb*

Tompkins sign, seal, publish and declare the *Paper*
now shown to you as h *is* last Will and Testament; and you the said *John*
R. Merrill do further swear that the names *John A. Tacey*
and *Elley Westfall*

which appear as Witnesses to the last Will and Testa-
ment of the said *Caleb Tompkins* are the proper handwriting of them the said
John A. Tacey and Elley Westfall

who together with you
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
Caleb Tompkins 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 *eighteenth*
day of *January* 1844 *John R. Merrill*
John Arnold

IN THE SURROGATE COURT.

PROVINCE OF CANADA, } YOU *William Stone and Benjamin Holmes*
DISTRICT, } of the *Township* of *Norwich*
Woodstock, to wit: }
in the *District* of *Brook*
and Province of Canada, *Yeoman* do swear that you are the persons named in the
last Will and Testament of the late *Caleb Tompkins*
of the *Township* of *Norwich* in the *Brook* District, and
Province aforesaid. *Yeoman* deceased as Execut *ors* thereto,

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
Sworn before me at *Woodstock*, this *eighteenth*
day of *January* 1844 *William Stone*
Benjamin Holmes
John Arnold
(*Jurat*)

IN THE SURROGATE COURT.

District of Brock, Canada West.

WOODSTOCK, }

TO WIT: }

William Stover

Quaker

Of the Township of *Norwich* District of *Brock* and Province
aforesaid, ~~maketh oath and saith that~~ *affirmeth* *John Tompkins late of*

Said Township of Norwich, Yeoman,

departed this life on or about the *Seventeenth* day of *November*
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 *One thousand*
Pounds Currency.

affirmed before me at Norwich *eighteenth* day of *January 1844.*
Sworn before me at Woodstock, this

William Stover

John Arnold Surrogate, DISTRICT OF BROCK.