

19

Joseph Moody

Probate Grant

to Miriam Moody

27<sup>th</sup> June 1859

I Joseph Woodry of the township of Derham  
County of Oxford do make and ordain this my  
last will and testament in manner and form  
following Viz I will and bequeath the use of my  
farm to my beloved wife Abigail with the whole  
control of said farm No. 17 in the tenth con-  
cession of the township of Derham aforesaid  
with all the crops growing on the same during  
this year and no longer after which time she  
shall have two cows kept on the place together  
with her things as long as she continues my  
widow also that she may sell the better property  
such as horses and cows (save and except the  
two cows aforesaid) to help to pay a  
certain portion to my daughters hereafter mentioned  
I will and bequeath to my daughter Roseanna  
Watson shall have one hundred dollars also my  
daughter Anne Carter one hundred dollars and  
I will and bequeath to my daughter Rachel Pennell one  
hundred dollars also to my daughter Mary Stratton  
eighty dollars as also to my daughter Euphemia  
Stratton eighty dollars also to my daughter Sarah  
Jane Hubbard one hundred dollars also my  
daughter Elizabeth Adelaide one hundred and  
twenty dollars also my daughter Annada  
Louise one hundred and twenty dollars I will  
and bequeath to my son Francis fifty acres on  
the west side of said lot also to my son John  
50 acres on the east side of said lot when he  
shall become of age I also will that should  
any of my daughters ~~die~~ die before receiving their  
portions as by me devised that said portions  
shall be equally divided among her surviving



sisters if unmarried but if married that  
it shall be the property of her Children and  
not be divided as aforesaid I will and devise  
that should the sale of my loose property not  
pay the several sums to my daughters that the  
Balance of the same be paid off my property  
within two years after my decease I will and  
bequeath to my son Henry the here and ten acres  
which he said Henry is now living on and I  
nominate and appoint as my executors my  
beloved wife Abigail Woody and George Hubbard  
to this my last will and testament hereby  
revoking all former wills by me at any time  
heretofore made In witness whereof I have hereunto  
set my hand and seal the 24<sup>th</sup> day of July in  
the year of our Lord one thousand <sup>Eight Hundred</sup> and fifty-eight

Signed sealed published and  
declared by the said testator  
Joseph Woody as for his last Joseph <sup>his</sup> Woody  
will and testament in the <sup>marks</sup>  
presence of us who have  
subscribed our names as John Hughes  
witnesses hereto in the presence William Powell  
of the said testator



Office of  
The Surrogate Clerk

In the goods of Joseph Woodry deceased,  
named in a certain Notice of application  
for a grant of Probate dated the Eleventh  
day of June AD 1859 as late of the Township  
Wrenham in the County of Oxford.

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 for a grant of Probate of the Will bearing  
date the Thirtieth day of July 1858

And I further certify that no caveat or copy of  
caveat against the grant of Probate or adminis-  
tration in the goods of the said deceased has  
been lodged with or received by me

Dated this fourteenth day of June AD 1859

Charles Fitzgibbon  
Surrogate Clerk

To

The Registrar of the Surrogate Court  
County of Oxford  
Woodstock  
C. W.



Unto the Surrogate Court of the County of *Onondaga*

The Petition of *Margaret Woodry* of the Township of *Dunham* in the County of *Onondaga* and Province of *Canada* Widow

HUMBLY SHEWETH

That *Joseph Woodry* late of the Township of *Dunham* in the County of *Onondaga* deceased, died on or about the *twelfth* day of *March*, in the year of our Lord one thousand eight hundred and *fifty nine* at the said Township of *Dunham*

in the County of *Onondaga* and Province of *Canada*, and that the said deceased at the time of his death had a fixed place of abode at *Dunham* in the said County of

That the said deceased in his life time duly made his last Will and Testament, bearing date the *fourteenth* day of *July* one thousand eight hundred and *fifty eight*

That your Petitioner is the executrix named in the said Will That 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 *four hundred* dollars to the best of your Petitioner's knowledge and belief, Wherefore your Petitioner prays that Probate of the said Will of the said deceased may be granted to her by this Honorable Court.

Dated the *twelfth* day of *July* 18 *59*

Witness  
*Laura Kirk*  
*W E O'Connell*

*Margaret Woodry*  
Executrix



In the Surrogate Court, of the County

of *Orford*

In the goods of *Joseph Woodry*

deceased.

I *Margaret Woodry* of the Township of *Orsburn*  
in the County of *Orford* make oath and say that I am  
the Executrix named in the last last Will and Testament  
of the said *Joseph Woodry* 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 *Three hundred*  
dollars.

Sworn at *Tillsonburg*  
in the County of *Orford*  
the *12th* day of *June*

A. D., 18*99* before me, *after having*  
*been Read or read Explains to*  
*The Deponent by Me*

*W. E. O'Connell*

*A Com in the B B m &*  
*In the County of Orford*

*Margaret* <sup>*Pin*</sup> *x* *W. O'Connell*  
*M. B.*



In the Surrogate Court, of the County of

of *Orange*

In the goods of *Joseph Woodruff*  
deceased.

I, *Abigail Woodruff* of the Township of *Denham*  
of *Denham* in the County of *Orange*  
make oath and say:

That I am the Executrix named in the last Will and Testament  
of the said *Joseph Woodruff*  
deceased.

That said deceased died on or about the *21<sup>st</sup>* day of *March*  
in the year of our Lord one thousand eight hundred and *58* at  
*Denham* and that the said deceased at the time of his death had  
fixed place of abode at *Denham* in the said County of  
*Orange*

Sworn at *Denham*  
in the County of *Orange*  
the *20<sup>th</sup>* day of *June*

*Abigail* & *Walter*  
*Woodruff*

A.D., 18*59* before me. After having  
been first read over and explained to the  
deponent - *Abigail Woodruff* by me.

*W. G. Westcott*  
A Com. in Th. B. B. in & for the  
County of *Orange*



Affidavit of Execution of Will.

In the Surrogate Court, of the

Count 2

of *Aspen*

In the goods of *Joseph Woodruff*  
deceased.

I *John Hughes* of the *Township*  
of *Barham* in the County of *Aspen* *Jerome*  
make oath and say:

That I knew *Joseph Woodruff*  
late of the *Township of Barham* deceased.

That on or about the *fourteenth* day of *July* in  
the year of our Lord one thousand eight hundred and *forty-eight* I was present  
and did see the said *Joseph Woodruff* sign and declare the  
paper writing hereunto annexed, as and for the last Will and Testament of the  
said *Joseph Woodruff*

That I, deponent and *William Mc Dowall* of the *Township*  
of *Barham* in the County of *Aspen* *Jerome*  
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 Mc Dowall*  
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 *Tillsbury* } *John Hughes*  
in the County of *Aspen*  
this *twelfth* day of *June*.

A.D., 18*59*  
*W. E. Nesbitt*

*A Commissioner in the Probate*  
*for the County of Aspen*



OATH OF EXECUTOR.

In the Surrogate Court of the County of *2*  
of *Anford*  
In the Goods of *Joseph Woodry* deceased  
I *Abigail Woodry* of the *Township*  
of *Dunham* in the County of *Anford*  
make oath and say, that I believe the paper writing hereto prefixed, to contain the true and original last Will and Testament of *Joseph Woodry* late of the *Township* of *Dunham* in the County of *Anford* That I am the executory 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 and testament 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 *Tillamook*  
in the County of *Boone*  
the *26th* day of *June*

*Abigail Woodry*  
*MWB*

A.D., 1859 Before me, *After Reading*  
*been first Read over & explained to*  
*the Deponent Abigail Woodry by me*  
*W. E. Overland*

*C. Com. in Th. Ab. Co. in & for the County*  
*of Boone*