

1057. (2713)

Petition of Daniel Spang
of Ross & Will of Wm Young etc.

Filed 31 August 1857.
W. L. Spang
Judge & Co.

His Honor William Sapientissimus Judge of the Superior Court of the County of Wood

The Petition of ^{Daniel} ~~William~~ Young late of the Township of North
Aurora in the County of Oxford Ontario in the Province of the
last Will and Testament of the late William Young late of the said
Township of Aurora deceased.

Humbly Sheweth

That the late William Young late of the said said Township of North
Aurora in the County of Oxford Ontario duly made and published his last Will
and Testament with writing bearing date on or about the twentieth day of
October in the year of our Lord one thousand eight hundred and fifty five and
by his said Will appointed your petitioner and Martin Cornell, William
Carruth and Ephraim Leach Executors of his said Will: that the said William
Young departed this life at the said said Township on or about the thirteenth day of June
in the year of our Lord one thousand eight hundred and fifty seven without having in
any way altered or revoked his said Will: that the said deceased at the time of his
death was possessed of diverse goods and chattels rights and credits all within
the County of Oxford amounting to the sum of some pounds and some shillings
and that into so far as your petitioner has been enabled to ascertain that
except your petitioner has not proved the said Will but has desisted
of doing so reserving to the said other Executors power at any time hereafter
to come in and prove the same. Your petitioner therefore humbly prays that he
may be permitted to establish and prove the said Will. And your petitioner
as in duty bound will ever pray

Woodstock 31 August 1857.

Daniel Young

In the Surrogate Court of the County of Oxford.

Province of Canada,

COUNTY OF OXFORD,

TO WIT:

You *Daniel Young* of the Town *Ship* of *North Norwich* in the County of *Oxford* *Whoman ou*

of the the Executor named in the last Will and Testament *William Young* of the late *Whoman* late of the said Town *Ship* - deceased, do swear that you believe the Will *now shewn to you to be the last* Will and Testament *William Young* of the said *William Young* that you will pay all the Debts and Legacies of the said deceased, so far as the Goods and Chattels, Rights and Credits of the said deceased shall extend, and by 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 Oxford; when you shall be, thereunto lawfully required. And you further swear that the Goods and Chattels, Rights and Credits of the said deceased at the time of his death amounted to the sum of *one hundred and ten Shillings and three pence*

SO HELP YOU GOD.

Sworn before me at *Woodstock* of Oxford, this *31* day of *August*

in the County) A. D. *1857* } *Daniel Young*

W Laprade

Judge of the Surrogate Court,
County of Oxford.

In the Surrogate Court of the County of Oxford.

Province of Canada,
COUNTY OF OXFORD,

TO WIT:
Esquire
William Young

You, Moses Mott of the Township of
South Norwich in the County of Oxford

one of the subscribing Witnesses to the last Will and Testament of the late
late of the said Township deceased, do swear that
you were personally present, and did see the said William Young
sign, seal, publish, and declare the Will now shewn to you as and for his last Will and Testa-
ment, and you the said Moses Mott do further swear that the names of

Elias Young Mott
which appear as Witnesses to the said last Will and Testament of the said William
Young is the proper handwriting of them the said Elias

Mott who, together with
you, signed their names in the presence of the said Testator, and at his special instance and re-
quest; and you likewise further swear that you verily believe that the said William
Young at the signing of the said last Will and Testament
was of sound memory and understanding.

So HELP YOU GOD.

Sworn before me at Woodstock in the County of }
Oxford, this 31st day of August A. D. 1857

Moses Mott

W. Lapointe
Judge of the Surrogate Court,
County of Oxford.

In the Surrogate Court of the County of Oxford.

Province of Canada,
COUNTY OF OXFORD,
TO WIT:

Daniel Young of the Township of
North Norwich in the County of *Quebec*

Yromun maketh oath and saith, that the late *William Young*
late of the Township of *North Norwich* in the said County

Yromun deceased, departed this life, at the said Township on or about the
thirtieth day of *June* in the year of our Lord, one thousand eight
hundred and *fifty seven*

Sworn before me at *Windsor* in the County
of Oxford, this *31* day of *August* A. D. 18*57*

Daniel Young

Sworn before me at the Town of Windsor in the County of Quebec
this 31 day of August A.D. 1857

W. Lapointe
Judge of the Surrogate Court,
County of Oxford.

An Inventory of the personal
Estate of William Young late of the
Township of North Norwich - Deceased
and Appraised by us this day

One Cow Eighteen Dollars August 24th 1874
One Desk ten Dollars } David M. Powell
One Bed ten Dollars } William Bailey

The Last Will and Testament of
William Young —

I William Young considering the uncertain-
ity of this mortal life and being of sound
mind memory and understanding do
make this my last Will and Testament in
manner and form following (that is to say)

First I will and order that all of my just debts
shall be paid by my son Daniel Young

2^d I give and devise to my son Daniel Young
to his heirs and assigns forever one hundred
and twenty Acres of Land with the appurtenan-
ces thereto belonging the same being the
south part of Lot Number three in the fourth
concession of the Township of Norwich.

3^d I give and devise to my Daughter Phoebe
Cornwall Wife of Martin Cornwall to her heirs
and assigns forever forty Acres of Land more
or less, it being the north and West part of the afore-
said Lot Number three to extend the equal half
of the front of said Lot, and thence until it inter-
sects the land devised to my son Daniel Young
as above

4th

4th I will and bequeath to my Daughter Elizabeth
Barns during her natural life Forty Acres of Land
more or less it being the north and east part of the
said Lot number three, the same to extend the equal
half of the front of said Lot and south untill it
intersect the Land devised to my son Daniel Young
and I further order and direct that my Executors
herein after named shall have the supervision and
management of the said forty acres of Land and
the proceeds of it, to be spent in the maintenance of
my said Daughter Elizabeth and her son Fayette
Barns. - Should it be found necessary to sell the
said Forty Acres of Land bequeathed to my Daughter
Elizabeth Barns, by my Executors, in order to obtain
sufficient means for her comfortable maintenance
my Executors are hereby empowered to do so, and
to execute in their name of Office a deed for the same
at the decease of my said Daughter Elizabeth Barns
and the said forty acres of Land not sold - then
and in that case I will and devise the said forty
acres of Land to my Grand son Fayette Barns
to his heirs and assigns forever - but should the
said Fayette Barns die ^{in his minority} ~~without issue~~ and the
said Land having come into his possession
according to the true intent and meaning of this
my Will I then give and devise the said Land
to my son Daniel Young and Phebe Cornell
to be divided equally between them or their heirs

or appraisers according to value -

5th I give and devise to my Grand Son Fayette Barnes
to his heirs and assigns four Village Lots Number
Eight and Number Nine on the East side of Albert
Street in the Village of Norwich in the said
Township of Norwich

Lastly I make and ordain my son Daniel Young
my son in Law Martin Cornell William
Carroll and Ephraim Cook Executors to this
my last Will and Testament

In Witness whereof I the said William Young the
Testator have hereunto set my hand and seal this
twenty fourth day of October in the Year of our Lord
One thousand eight hundred and fifty five at Norwich
in the County of Cayuga and Province of Canada
Wm Young

Seignal sealed published and declared by the above
named William Young to be his last Will and Testa-
ment in the presence of us who have hereunto subscri-
bed our names as Witnesses in the presence of the Testator
and of each other

Moses Mott
Elias Mott

{ note the interlining of the words
(in his minority) in the fourth
clause before execution }