

Transcription of Will of DENNIS John 1832

(RG22-155: Ontario Probate Court, York, 1832, Film MS 638, Reel 45)

My Will February 28th 1832

In presence of our great and blessed Lord and savior Jesus Christ being favoured with health and ~~sound~~ a sound mind for all which I return my poor gratitude and thanks for those blessings and taking into consideration the uncertainty of this life and the necessity of leaving my worldly affairs so as to prevent any unkind thoughts between those I leave behind I do make this my last will and testament in manner following that is to say – I give to my Dear Wife During her life all and every thing I die possessed of (the corner house where M^r Bosworth excepted) to be disposed of as she may think best Houses lands movables and unmovables except as before excepted the proceeds of the corner house going to Joseph for maintaining his family after her Death I give to Martha Johnson Hannah's daughter one quarter of an acre during her life and if she should Die unmarried to be Shared between her surviving sisters the remains of the two acres belonging to me to be divided between Hannah and rebecca rebeca to have the Northwest corner and up to James lots which he bought of me Martha Johnstons quarter of an acre to be the next lot lay westward and running across untill it strikes the line of twenty foot Intended for a lane or Street to run East & West through the back of the lot the lots to be valued and each to have equal shares in value as given by three disinterested men the eighty eight feet of ground laying on Bay street South of the lot sold to M^r McPhail I give to the Daughter of Mathias Sanders Martha who married John Obrian except twenty foot intended for a lane at the back of the lot if it should be called for by the owners of the lots I have leased on the west side of the lot to wit by this will Rebecca & Hannah the corner lot opposite M^r Caffra[?] Y Past I give to Rebecca to make up for selling James the lots when [Hannah?] [marry?] I give one acre on the lot on I Bought of Judge Cartwright at to Joseph Dennis and one acre to James Richardson the remainder to the remainder of the lot to Joseph Dennis's sons to be divided Share and share alike when the youngest comes to the age of twenty one years I give to Joseph Dennis for his children all the lands I have on the Humber being five hundred and fifty Six acres more or less any other lands I may now or hereafter have I may add and in witness of all I have wrote I give my hand and Seal this twenty eighth day of February one thousand Eight hundred and thirty two

John Dennis [seal]

Signed Sealed Published and declared to be the last Will and Testament of the aforesaid John Dennis in presence of us, who as witnesses to the same and sign our names in presence of the Testator

Thos. Vaux
Lardner Bostwick
George Bostwick
Witness Present
William H. Doyle
Thomas Phillips
Eliha W. Dutcher

Probate Tax on the Will of the [page cut off] Dennis of York Shipwright
Off^d Principal

Register: Seal – “-5-8
 Inventory – “ 3-4
 Collating Will – “-6-8
 28 folios – 1-8-“

I certify that on the 13th day of September A.D. 1832 at 9 o'Clock A.M. the Memorial produced of the within Will for registry is Entered and registered; in Lib: M. pages 712 of 713. Memorial No.

9162

Sam^l. Ridout

Reg^r. C^y. York

12/3

Will of the late Jn^o. Dennis
No. 1 second

To His Excellency Sir John Colborne K. C. B. Lieutenant Governor of the Province of Upper Canada, Judge of the Court of Probate in and for the said Province.

The Petition of Martha Dennis of the Town of York Widow
Sheweth.

That Your Petitioner is the Widow of John Dennis late of the town of York aforesaid Shipwright who departed this life on the twenty fifth day of August last, leaving a Will but therein omitting to name an executor.

That her said husband owned property to the value of five pounds in two or three Districts of this Province.

That Your petitioner in consequence of her advanced age is desirous that her son Joseph Dennis, James Richardson the Younger and William P. Patrick should be appointed to administer to the Estate with the Will annexed or Should be associated with her for that purpose.

Wherefore she prays that letters of administration be granted to her son in Law The Reverend James Richardson Jr, her son Joseph Dennis and to William P. Patrick with the Will, of her deceased husband the said John Dennis, annexed, or that they should be associated with her in administering under the said Will, as to Your Excellency may seem most proper

And as in duty bound Your Petitioner Shall ever pray

(signed) Martha Dennis

York 14 September 1832

Court of Probate
Upper Canada
York to wit

By Grant Powell Esquire
Official Principal of the
Court of Probate in and
for the Province of Upper
Canada

Whereas Martha Dennis of the town of York in the Home District and Province aforesaid Widow of the late John Dennis of the same place Shipwright deceased by Petition to His Excellency Sir John Colborne K.C.B. Lieutenant Governor of the Province of Upper Canada Major General Commanding His Majestys Forces therein and Judge of the Court of Probate within the said Province did set forth that she was the Widow of the said John Dennis Shipwright deceased who departed this life on the twenty fifth day of August last leaving a Will but therein omitting to name any Executor.

That the [sic] she the Said Petitioner in consequence of her advanced age was desirous that her son Joseph Dennis, James Richardson the Younger, and William P. Patrick should should [sic] be appointed to administer to the Estate with the Will annexed or should be associated with her for that purpose. Whereupon she prayed that Letters of Administration may be granted to her son in law the said Reverend James Richardson Junior, to her son Joseph Dennis and to William P. Patrick with the Will annexed.

Wherefore administration of all and singular the Goods and Chattels Rights and Credits which were of the said John Dennis at the time of his death is hereby granted to the said Joseph Dennis eldest son of the said John Dennis, to the Reverend James Richardson, Junior, and to William P. Patrick with the Will annexed, they having given Bonds into the said Court of Probate faithfully to administer the same according to Law and to render a true and just account of their administration when thereunto lawfully required.

Given under my hand and the Seal
of the said Court of Probate at York
aforesaid this fifteenth day of
September in the Year of our Lord
one thousand eight hundred and thirty
two.

Court of Probate
Upper Canada
York to wit

You the Reverend James Richardson Jun^r. and Wm P. Patrick, Yeoman, both of the Town of York in the Home District and Province of Upper Canada do severally swear that you believe the paper now shown to you to be the last Will and Testament of the late John Dennis of York aforesaid, Shipwright, deceased, that you will well and truly administer the Goods and Chattels, Rights and Credits, which were of the said deceased at the time of His death, agreeably to the provisions of the said last Will and Testament and pay all his debts so far as the Goods will extend and the Law shall require of you and that you will exhibit a true full and perfect Inventory of the said Goods of the said deceased and render a true account of your administration into the Registers office of the said Court of Probate when you shall be lawfully called thereunto.

So help you God.

Sworn before me
at York aforesaid
this 15 day of September 1832
Grant Powell
Off^r. Principal

Court of Probate
Upper Canada
York to wit

You Thomas Vaux of the Town of York in the Home District and Province of Upper Canada, Yeoman, one of the subscribing Witnesses to the last Will and Testament of the late John Dennis of York aforesaid, Shipwright, deceased, do swear that that [sic] you were personally present and did see the said John Dennis sign seal and publish the Paper now shown to you and declare the same to be his last Will and Testament, and you the said Thomas Vaux do further swear that the names Thomas Vaux, Lardner Bostwick and George Bostwick which appear as witnesses to the said Will and Testament of the said John Dennis are the proper handwriting of them the said Thomas Vaux, Lardner Bostwick and George Bostwick who together signed their names in the presence of each other and in the presence of the said Testator and at his Special Instance and request and you likewise swear that you verily believe that the said John Dennis 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 York aforesaid
this 15 day of September 1832
Grant Powell
Off^r. Principal

Know all men by these Presents that we Joseph Dennis of the Township of York, in the Home District and Province of Upper Canada, Yeoman, The Reverend James Richardson of the Town York in the District and Province aforesaid, Wm. P. Patrick of the same place, Yeoman, Thomas Vaux of the same place, Yeoman, and John Doce of the same place, Brewer, are held and firmly bound to His Excellency Sir John Colborne K.C.B. Lieutenant Governor of the Province of Upper Canada, Major General commanding His Majesty's Forces therein and Judge of the Court of Probate within the said Province and to his Successor and Successors in office in the final sum of two hundred pounds of good and lawful money of the said Province to be paid to our Sovereign Lord the King His Heirs and Successors for which payment well and truly to be made we find ourselves severally our Heirs and each of our Heirs Executors and Administrators firmly by these presents sealed with our Seals and dated at York in the Province aforesaid this fifteenth day of September in the year of our Lord one thousand eight hundred and thirty two.

The Condition of this obligation is such that if the above bounden Joseph Dennis, James Richardson, and Wm. P. Patrick, Administrators of all and singular the Goods Chattels and

Credits of the late John Dennis of York aforesaid, Shipwright, deceased, agreeably to his Will annexed to their Letters of Administration do make or cause to be made a true and perfect Inventory of all and singular the Goods Chattels and Credits of the said deceased which have or shall come into the hands possession or knowledge of them the said Administrators or into the hands and possession of any other person or persons for them and the same to make do exhibit or cause to be exhibited into the Registry of the Court of Probate on or before the first Monday which will be in fine next ensuing the date hereof and the same Goods Chattels and Credits and all other the Goods Chattels and Credits of the said deceased at the time of his death which at any time hereafter shall come into their hands or possession or into the hands and possession of any other person or persons for them, do well and truly administer according to Law and according to the directions and true intentions of the Testator expressed in the Will to the letters of Administration granted to the said Joseph Dennis, James Richardson and William P. Patrick, annexed, as the law directs, and further when thereunto lawfully required do make or cause to be made a true and just account of Administration then this obligation to be void and of none effect, or else to remain in full force and virtue.

(signed) Joseph Dennis

(signed) Ja^s. Richardson Jun^r.

(signed) Wm. P. Patrick

(signed) Tho^s. Vaux

(signed) John Doce

Signed and sealed in
the presence of
James Fitz Gibbon
Register Court of Probate

(Contributed by Holly Adams)