

CANADA (SEAL) PROVINCE OF ONTARIO

IN HIS MAJESTY'S SURROGATE COURT

of the COUNTY OF WELLAND

BE IT KNOWN that on the --tenth-- day of --July-- in the year of Our Lord one thousand nine hundred and forty-three- the last Will and Testament of--JOHN HENRY ATWOOD-- late of the Town of Fort Erie in the County of Welland, Merchant, deceased who died on or about the twenty-third day of March--in the year of Our Lord one thousand nine hundred and forty-three at Fort Erie in the County of Welland and who at the time of his death had a fixed place of abode at --Fort Erie--, in the said County of Welland--was proved and registered in the said Surrogate Court, a true Copy of which said last Will and Testament-- is hereunto annexed AND THAT administration of All and singular the property of the said deceased and in any way concerning his Will-- was granted by the aforesaid Court to ANNIE T. ATWOOD, Widow, James Lloyd Atwood, Merchant, and Ira T. Atwood, Undertaker, all of the said Town of Fort Erie, the----Executors named in the said Will they severally--having been first sworn well and faithfully to administer the same by paying the just debts of the deceased and the legacies contained in his Will--so far as they are thereunto bound by law and by distributing the residue (if any) of the property according to law and to exhibit under oath a true and perfect Inventory of All and singular the said property and to render a just and full account of their executorship when thereunto lawfully required.

WITNESS His Honour L. B. C. Livingstone, ---- Esquire, Judge of the said Surrogate Court at the City of Welland, in the County of Welland --- the day and year first above written.-

By the Court,

"J. E. Cohoe"

(Surrogate Court

REGISTRAR

Seal)

NOTICE:- The attention of all persons administering this Estate is drawn to the regulations respecting trading with the enemy (1939), by which it is forbidden to distribute any portion of the assets of this estate to or on behalf of any beneficiary or creditor who is an enemy as defined by the regulations. If there is any such enemy interest now or subsequently in this estate it must be reported to THE CUSTODIAN, ("J.E.Cohoe" Victoria Building, 7 O'Conner Street, Ottawa, Canada, and no action with regard to such enemy interest) Registrar. can be taken without the consent of the Custodian.

THIS IS THE LAST WILL AND TESTAMENT of me, JOHN HENRY ATWOOD, of the Town of Fort Erie, in the County of Welland, Merchant, made this 25th day of August, 1942, I hereby revoking all former Wills and other Testamentary documents by me at any time heretofore made, and declaring this only to be and contain my last Will and Testament. 3

I DIRECT my Executors hereinafter named to pay all my just debts, funeral and testamentary expenses as soon as may be after my decease. My executors are authorized and directed to settle all bequests, devises and benefits free of Succession and other Death Duties or Inheritance Taxes and to pay all Succession and other Death Duties or Inheritance Taxes out of the capital of my Estate.

I HEREBY DIRECT my Executors to pay from the capital of my estate, all the principal and any interest that may be owing on a mortgage on the property of my son, IRA T. ATWOOD, on Wintemute Street, in which premises my undertaking business has been carried on. I direct this to be done not as a gift but as an obligation of my estate as my said son has been permitting and has agreed to permit the carrying on of the said business upon his premises, without any rental charge therefor.

I DIRECT AND EMPOWER my Executors hereinafter named to sell any or all of my real estate at such time or times as in their discretion they deem advisable, and to invest the proceeds, together with any moneys on hand from time to time, in good sound investments for the purposes hereinafter mentioned.

I GIVE AND DEVISE premises #18 Dufferin Street, in the Town of Fort Erie, unto my sister Alwilda S. Atwood, to have and to hold for and during her natural life, my Executors in the meantime paying all taxes, insurance premiums, and for the upkeep of the premises.

SIGNED, OBSERVED AND DECLARED

by JOHN HENRY ATWOOD

I GIVE, DEVISE AND BEQUEATH unto my three sons, JAMES LLOYD ATWOOD, IRA T. ATWOOD AND JOHN R. M. ATWOOD, share and share alike, my store premises and land connected therewith, being #46 Jarvis Street, in the Town of Fort Erie, together with my furniture and Undertaking business, the same to include all chattels, stock-in-trade, and contents of said premises, and all other assets pertaining to said business, wherever same may be situate, and together with the good will thereof, and all book accounts owing to me, subject, however, to the payment of all or any debts that I may owe in connection with said business, and subject further to the payment of Five Hundred Dollars to the Building Fund of the Central Avenue United Church, Fort Erie, the said Five Hundred dollars to be paid within five years from the date of my death.

ALL THE REST AND RESIDUE of my estate, both real and personal, of every kind and description, I GIVE, DEVISE AND BEQUEATH unto my Executors upon trust, to pay the income arising therefrom unto my wife, ANNIE A. ATWOOD, for an during her natural life, and upon her death to realize the same and to divide the proceeds of said residue equally among my six children, namely: JAMES LLOYD ATWOOD, IRA T. ATWOOD, JOHN R. M. ATWOOD, EDWARD VICTOR ATWOOD, REVA A. MacPHEE, and ETHEL VERA ATWOOD, share and share alike.

I FURTHER EMPOWER My Executors to retain any investments or asset in the form in which it may be at my death.

AND I NOMINATE, CONSTITUTE AND APPOINT my said wife, ANNIE A. ATWOOD, and my two sons, JAMES LLOYD ATWOOD and IRA T. ATWOOD, to be the Executors of this my Will.

IN WITNESS WHEREOF I have hereunto set my hand the day and year first above written.

SIGNED, PUBLISHED AND DECLARED }
by the said JOHN HENRY ATWOOD }