

Will: - Wm Smith
Feb. 12 1845

2098

No 2098, Intent and Copy of the 12th Feb 1845 - at 1. Volume 10 in Book E. folio 90 in the will of William Smith - and the will of Mrs. Smith

A memorial to be registered pursuant to the statute in such case made and provided of the last will and Testament of William Smith of Waterloo in the Township of North West of Niagara and Province of Upper Canada Esquire bearing date the Third day of January in the Year of our Lord one thousand eight hundred and twenty eight, whereby he willed and bequeathed all his property real and personal to be and remain in the possession of his beloved wife during her life time for her own use and the support and bringing up of the family and whatever might be left at her decease to be equally distributed among the undermentioned children to wit John Francis Ellen Maria, Elizabeth Theresa, Mary Anne Jane and Henrietta Amelia, and in case of death of either them to be equally distributed among the survivors, It was to be understood that David William and George being of age and able to provide for themselves and having received a better education than his circumstances they would allow him to bestow upon the others above mentioned, he thought considering those advantages equal to the small property then to be divided amongst three younger brother and sisters, In the purposes therein mentioned he ~~thereby~~ nominated his beloved wife Executor and his brother Charles Smith of Quebec Executor to that his last will and testament ~~which was~~ ~~testamentary~~ signed by John Warren Senior late of the Township of Berlin in the Niagara District Esquire deceased John Wintermute of the Township of Yarmouth - in the London - District Town and Charles Stark of the District of Bathurst in the said District Esquires and the memorial thereof is hereby required to be registered by a devisor therein named -

Witness my hand and seal this twelfth day of February in the Year of our Lord one thousand eight hundred and forty five.

Given and sealed in the Presence of

John F. Smith
Wm. Smith

Wm. G. Smith
Wm. Smith

A Memorial of an Indenture made the twenty first day of April, in the year of our Lords one thousand eight hundred and twenty one, at Bertie in the Province of Upper Canada, between John Warren of the Township of Bertie District of Niagara and Province aforesaid, (of the one part) Esquire, and William Smith of the Township District and Province aforesaid Gentleman, of the other part. Whereby the said John Warren for and in consideration of the sum of four hundred pounds lawful money of the said Province to him in hand paid by the said William Smith, the receipt whereof is thereby acknowledged, hath granted, bargained, sold, aliened, transferred, conveyed and confirmed unto the said William Smith his heirs and assigns for ever. All and singular that certain parcel or tract of land and premises situate, lying and ^{being} in the Township of Bertie, in the District of Niagara and Province aforesaid, being composed of part of lot number four in the first part of lot number four in the second, part of lot number four in the third, and part of lot number five in the fourth conceptions of the Township of Bertie aforesaid containing by admeasurement one hundred and seventy acres be the same more or less, which said tract of land is butted and bounded or may be otherwise known as follows. Namely to say, Beginning at the distance of five chains from the North East angle of said lot number four in the first conception, and at the distance of one chain from the Niagara River. Then West, to the West end of said lot number four in the third conception. Then South seven chains and fifty links more or less. Then East to within one chain of said River. And then Northerly always at the distance of one chain from the said River to the place of beginning. Nevertheless, excepting and reserving an allowance for three streets or roads on lot number four in the first conception, agreeably to the plan of the Village of Waterloo, situated on said lot number four in said first conception. Also beginning again in front of the fourth conception at the North East angle of said lot number five; then West twenty five chains more or less. Then South twenty chains more or less

No. 11. 273. Entered and registered the 21st day of November 1838. at 9. O'Clock P. M. in Court of J. Johns
589. 590. 591. by the oath of Duncan Warren. — John Warren

left. Then East twenty five chains more or less, and
then North twenty chains more or less, to the place of
beginning containing fifty acres more or less, and
being part of the first mentioned one hundred and
seventy acres. Together with all houses, outhouses,
woods and waters thereon erected, lying and being;
and all and singular the hereditaments and appur-
tenances to the said premises in any wise
belonging, and the reversion and reversions, remain-
ter and remainders, rents, issues and profits
thereof. And all the estate, right, title, interest, claim
property and demand whatsoever either at law
or in Equity of him the said John Warren, of, by
or out of the same and every part thereof. To have
and to hold the same with the appurtenances, freed
and discharged from all incumbrances whatsoever,
unto the said William Smith his heirs and assigns,
to the sole and proper use, benefit and behoof of
the said William Smith his heirs and assigns for
ever, under the reservations and conditions already
mentioned and expressed with regard to the
allowance of streets in the said Village of Waterloo.
Which said Indenture is witnessed by Duncan Warren
of the Township of Howard in the Western
District and Province of Upper Canada, Merchant,
and this memorial is hereby required to be registered
by me the Grantee therein named.

Witness my hand and seal, this 26th
day of October in the year of our Lord 1838.

Signed and sealed
in presence of

Duncan Warren
M. Esqrs.

William Smith