

This is the last Will and Testament of ^{me} one
John Mackay of New Glasgow in the County of Victoria,
Esquire.

First, I grant, give, devise, and bequeath unto
my son Norman McLeod McKay and his heirs all that
certain part of my farm on which I now reside,
beginning on the south side of the main highway,
leading to Little Harbour at the Northwest Corner of
lands belonging to the heirs of Andrew Ross, late of
New Glasgow deceased. Thence to run southeasterly
along the line of the said lands, until it comes to the
Northeast Corner of the lands conveyed by me to my
son John William McKay. Thence Northwesterly along
the front line of the said John William McKay's ^{lands} until it comes
to his South Western Corner. Thence Southeasterly a-
long the side line of John William McKay's lands until it
comes to the cross brook or "dry brook" so called, being
the Southwestern bounds of the uncultivated part
of my farm. Thence ~~with~~ Southwesterly along the
said cross brook until it makes ^{envelope (1/2)} ~~thirteen~~ rods at right
angles with the last mentioned side line. Thence
Northeasterly parallel with the said line, being also
parallel with ~~with~~ the Telegraph Lane so called -
until it comes to the fore said Little Harbour main
high way, and thence easterly along said highway
to the place of beginning - And I also give, devise,
and bequeath unto my said son Norman McLeod,
One Horse, and all the farming implements
that may be on the place at the time of my demise -
I further order as a condition of the foregoing
devise that my said son, Norman McLeod, shall
yearly and every year, during the lifetime of his

Mother, my wife Lillias MacKay, pay her the sum of Eight pounds Current Money of this Province, and also, that he shall yearly ~~send~~ every year during her said life, keep and maintain two Cows and eight sheep for her sole use, and likewise, provide her sufficient quantities of fuel during her said life.

Secondly — I grant, order, devise, and bequeath unto my son Angus MacKay and his heirs, one fourth part of an acre of land, for a building lot, to be laid off at the angle which the Mountain Road makes with the Little Harbour road, opposite the School House —

Thirdly — I give, devise and bequeath all the remaining part of my ^{excepting dwelling house, Garden & Barn} farm, with all the messuages, buildings, and appurtenances, ^{in trust} unto John William MacKay, my son, James Fraser Esquire, of New Glasgow, and William Fraser, Postmaster, hereinafter named, their heirs and assigns, To Have To Hold the said remainder with full power, and in trust, to sell, dispose of, grant and convey the whole or any part or parts thereof, to any purchaser or purchasers absolutely and in fee, by public or private sale, or contract, from time to time, as my Executors may deem fit, and that out of the proceeds of such property, and sale my Executors shall first pay all my just debts, funeral and testamentary expenses, and shall hold the surplus of such sale or disposition in trust, to invest the same at interest or otherwise dispose thereof as they may judge best for the use and benefit of my wife and six children — Christy MacKay — Alexander MacKay — Margaret MacKay — Mary Catherine MacKay, Jessie MacKay, and Annie MacKay — or the survivors of them, at the time, ^{being} in manner and proportion as my said Executors may think proper.

Fourthly — I will and direct that such monies

as may arise, from the sale of said lands, or interest accruing from investment of such monies, or in any other way therefrom, shall be distributable as aforesaid, untill ten years after my decease, during and untill the end of which time, my said Executors or Trustees shall control and manage and shall apportion and distribute any profit or benefit derivable therefrom among my said wife and six children, or the survivors of them according to the judgement and discretion of my said Executors or Trustees.

Fifthly, I will, declare, and direct, ~~that~~ that at a convenient time before the expiration of the said ^{my said executor shall} ten years, complete the sale of the said ^{excepting dwelling house, farms,} land, and call in all monies that may be due by former sales, or monies invested, and shall at the end of such ten years, after deducting a reasonable charges, which monies shall be equally divided among my said wife and six children share and share alike, leaving it optional with said Executors, or trustees to invest my son Alexander's share for his benefit or pay it over to him in their best judgment and discretion.

Sixthly — Besides the provision made here in the first and fifth clauses of this instrument, I will, declare, and order that my said wife Lillia's M^{rs} May shall have the dwelling house, Garden and Barns under her sole control during her natural life, and that after her decease, I will and order, that the said dwelling house and Garden shall be exclusively the property of my said six children, or the survivor of them, and that the Barn be the property of my said son Norman M^{rs} Seed; and I also will, and give, all my personal property to my said wife, excepting so much

thereof as has been already devised, and further order that my son John William shall pay my said wife the yearly rent reserved in his deed from me.

Sixthly— I name, authorize and appoint the foresaid John William Mc-Nay, ^{Thos. Edwards} ~~James Fraser~~, Esquire, and William Fraser, all of New Glasgow, aforesaid, to be my Executors and Trustees, of, and under this my last Will and Testament.

Seventhly— I do hereby revoke and annul all former Wills and Testaments made by me.

In witness whereof I have to this my last will and Testament subscribed my hand and set my seal this tenth day of September in the year of our Lord, one thousand eight hundred and fifty six—

Signed, sealed, and declared in presence of us, who both at the same time, in his presence and by his direction have herewith subscribed our names as Witnesses.

Signed/

John Mackay

(S.)

Signed— David Marshall

— " — John W. Mc-Nay

This is a Codicil to the last Will and Testament of me John Mackay of New Glasgow in the County of Pictou, Esquire, made this first day of August— Anno Domini 1872.

Whereas by my said will I have granted and bequeathed unto my late son Angus, now deceased, one quarter of an Acre of land at the angle of intersection of the old Mountain Road with the Little Harbour road, as mentioned in the foregoing will. Now I hereby revoke the second section of my said will and

I do hereby grant, order and bequeath the said corner lot mentioned in the second section of said Will to my beloved wife Lillias M. Kay and her heirs for ever - but I confirm my said Will in all other respects.

Signed by the said John Mackay the Testator as a Codicil to his foregoing Will in our presence, who in his presence and the presence of each other at the same time subscribed our names as witnesses.

Signed -

John Mackay (L.S.)

Signed - J. P. Olding
" William Smith

County of Pictou N.S.

In the Court of Probate of Wills, &c. &c.

I do hereby certify that the foregoing instrument consisting of four and a half pages is an exact and literal copy of the last Will & testament & Codicil thereto, of John Mackay late of New Glasgow in the County of Pictou, Esquire, deceased, testate, which has been duly filed and admitted to probate, in accordance with the practice of the Court.

Given under my hand at Pictou,
this 16th of October A.D. 1884.

John A. Lane
Registrar

To the Registrar of Deeds
for the County of Pictou.

