

Estate of
James Fitzpatrick
Late of Fitzpatrick's
Mountain, Carleton,
New Brunswick,

Copy of Will, for
Register of Deeds.

Province of Nova Scotia
Registrar Office Pictou 11th April 1885 I certify that the within
instrument was duly registered at 4 PM of the above day in
the registry of Miss Ross N^o 1 pages 273, 274, 275 & 276 on the cer-
-tificate of John H. Lane Reg^r of Probate
John Ferguson
Reg^r

In the name of God Amen.

I James Fitzpatrick Esquire of Fitzpatrick's Mountain in the County of Wick and Province of Connaught Farmer, being in good Health of body and of perfect mind and memory and knowing that it is appointed for all men once to die do make and ordain this my last will and testament. That is to say principally and first of all I recommend my soul into the hands of Almighty God who gave it - and my body I recommend to the earth to be buried in the Saint John's Cemetery in a decent Christian manner at the discretion of my Executors nothing doubting but at the general Resurrection I shall receive the same again by the Almighty power of God - and as to ~~touching~~ such worldly estate wherewith it hath pleased God to bless me with in this life I give and dispose of the same in the following manner and form that is to say, First I give and bequeath unto my wife Margaret Fitzpatrick the one third of my landed Estate on which I reside and live at present one third of the buildings that may be on the said farm at my death during the natural course of her life, at which time the said one third of land and buildings fall back to my son Hugh Fitzpatrick and his heirs for ever. But I recommend her to live with my son Hugh Fitzpatrick ~~and his family~~ but in case that she would sooner live in a separate apartment from the said Hugh Fitzpatrick and his family then my Executors is to decide what part of the house she is to occupy, and what part of the house she is to hold for her use and benefit during her lifetime, and also what portion and attendance she is to receive from him the said Hugh Fitzpatrick during her lifetime, Also I give and bequeath unto my son

Hugh Fitzpatrick all the land contained in the farm on which reside on at present called Fitzpatrick's Mountain with all the right title privileges contained in the original grant to him and his heirs for ever, and also all the farming utensils and all the stock of horses and Cows and sheep that may be on the farm at the time of my death;

Also I give to my eldest daughter Emmeth Fitzpatrick the sum of Fifty dollars if she will get married with one Cow and bed and bedding, and provided she is inclined to not get married then I bequeath to her the sum of one hundred Dollars to be raised out of my lands and effects.

Also I order and bequeath that the present yearland Coal that is on the farm at present be kept on the farm till it is three years and one half years old then to be delivered to my son John R. Fitzpatrick,

Also my two daughters Mary Jane and Rosanna Fitzpatrick receive each of the farms one Cow, and bed and bedding and each of them is to assist their mother in making the said bed clothing -

Also as concerning my daughter Eliza I order and bequeath that she is to get her living of the farm or that my son Hugh Fitzpatrick will give her a decent living on the farm, but provided that she will get married then she is to get one Cow and bed and bedding of the said farm equal to the other two girls: Mary Jane and Rosanna;

Also I order and bequeath that my son Alexander Fitzpatrick will get such assistance in getting a little education as our circumstances will admit of, then if it will please the will of Almighty God, that I should live for some time and fulfill these Requests or part of them then my Executors have no power to raise the said bequests or such part of them as I have fulfilled in my life time out of;

my Estate or otherwise.

I also do appoint maintain and ordain
the Rev James Fitzpatrick B. A. Robert Lutherland
of Miner John, and Hugh Fitzpatrick to be executors
of this my last Will and testament giving them full
to Raise my just debts and bequeath out of my lands
and Chattels and pay them to persons entitled to them
And I do hereby utterly disallow revoke and disannul
all and every former testament wills and Executors
by me in any wise before named willed and bequeathed
ratifying and confirming this and no other to be my
last Will and testament, In witness whereof I here-
unto set my hand and seal this second day of July in
the year of our Lord one thousand eight hundred and
Eighty one.

Signed published and pronounced by the said
James Fitzpatrick as his last will and testament in
the presence of us now in his presence and in the presence
of each other we hereunto subscribe our names -

Signed - Thomas B. Munay
- " - George M^c Intosh -

Signed -
James Fitzpatrick (L.S.)

This Codicil made this first day of December
in the year of our Lord one thousand eight hundred
and eighty two by James Fitzpatrick Esq. States and
set forth that if any of my three Daughters that is to say
Annat, Mary Jane, and Rosanna Fitzpatrick, happens
to not not be married and is sick or unable to provide
a decent living for themselves, then they have full rights
to return home where they were born and brought up -
to the years of maturity and get their living from
Hugh Fitzpatrick, according as my Executors thinks
right in their behalf, And in case that Hugh Fitzpatrick

Should sell the farm and go any other place then he is to
give to my daughter. I amok the sum of two hundred
dollars out of the price of the farm. And I appoint the
Rev James Fitzpatrick B. A. and Robert Sutherland
Rivers John and Hugh Fitzpatrick Executors as in the
will. Given under my hand and seal the day
and year first written. -

Signed - James Fitzpatrick

Signed, and sealed

in presence of

Signed - Robert Sutherland

- " - Robert Fraser

County of Pictou N.S.

In the Court of Probate of Wills. -

I do hereby certify that the foregoing instrument
consisting of three and a quarter pages is an exact and
literal copy of the last will & testament of James Fitzpatrick
& codicil thereto, late of Fitzpatrick's mountain in the
County of Pictou, Farmer, deceased, Testator, which has
been duly proved and admitted to Probate in
accordance with the practice of the Court.

Given under my hand at Pictou this
fourteenth day of January A.D. 1885.

John Blair, Registrar

To the Registrar of Deeds
for the County of Pictou - }