

I Wilson Ruffin Abbott of the city of Toronto in the Province of Ontario Esquire hereby declare this to be my last Will and testament I hereby give unto my dear Wife Ellen Abbott all my personal Estate whatever and wheresoever to hold unto her her heirs Executors and Administrators absolutely and for ever I also give unto my Wife during the term of her natural life the sum of four hundred dollars per annum payable in equal monthly instalments by my Children hereafter named as devisees of this my Will the first payment to be made one month after my decease.

I give unto my son William H Abbott of the city of Boston in the state of Massachusetts Clergyman during the term of his natural life and after his decease to the heirs of his body all the property lands and tenements hereinafter described that is to say,

one brick house situate on the North West Corner of Adelaide and York Streets occupied by James Patterson, being number one hundred and thirty one two story frame house situate on the South side of Melinda Street occupied by one John Nevill and being number twenty one and one rough Cast house situate on Terauley Street occupied by James Mills or Nyles and numbered six; one frame house on Terauley Street aforesaid known as the "Big house" numbered Eight and Ten and occupied by Stephen Moore and Charles Stewart, one frame house on the

South side of Albert Street at present occu-  
 pied by David Storey and numbered  
 Seventy three. Two frame houses situate  
 on Albert Street aforesaid occupied  
 respectively by Thomas Clarke and  
 William Plams and numbered twenty  
 four and eighty one respectively; one frame  
 house on Elizabeth Street occupied by Wil-  
 liam N Franklin and numbered twenty  
 two; one brick house on Adelaide  
 Street opposite the Court House occupied  
 by Mrs Jane Adams as a Saloon and  
 as offices; one brick house on the south  
 side of Carleton Street numbered twenty  
 three occupied by the Testator (subject to  
 a life Estate hereby devised to my Wife  
 therein) Three frame houses situate  
 on Ann Street numbered forty forty two  
 and forty four respectively and occupied  
 by William Anderson Thomas Gamble and  
 Samuel Perkins respectively; one vacant  
 lot on the West side of Jordan Street  
 having a frontage of thirty feet on Jordan  
 Street and a depth of seventy feet  
 and being the lot lately purchased  
 from Alister M Clark on which I  
 propose erecting a Warehouse all of  
 which said property is situate in the  
 said City of Toronto. Also five frame  
 houses situate on the West side of  
 Elzaffe Street in the city of Hamilton in  
 said Province occupied by Nicholas Rock  
 Alexander Duigwall William Fox or Fox  
 William Forsyth and John Gabjoy -  
 Also to him his heirs Executors and Ad-

ministrators absolutely and for ever  
lots number nineteen on the East side  
of Scrope Street and nineteen on the  
West side of Murdoch Street in the Town  
of Owen Sound.

I give unto my son Anderson Puffin  
Abbott of the City of Toronto aforesaid  
Physician all the lands and tenements  
hereinafter described during the term of  
his natural life and after his decease  
to the heirs of his body to wit—

The wholesale warehouse on the North  
side of Wellington Street between Scott  
Street and Change Alley occupied by  
Halls and Walsh and numbered  
twenty eight. Two frame houses and  
three rough cast houses on the East  
side of Chestnut (late Sayer) Street  
numbered fifteen seventeen nineteen  
twenty one and twenty three respectively  
and occupied by Henry Meredith William  
H. Middleton William Whitcombe William  
H. Williams and James Harrison respec-  
tively; one frame house situate on the  
West side of Elizabeth Street being  
number eighteen and occupied by Samuel  
Thornton; one frame house situate on  
the South side of Melinda Street num-  
bered twenty seven occupied by John  
Ryan one frame house on the south  
side of Albert Street numbered sixty  
nine occupied by Francis Clarke all  
of which said property is situate in  
the city of Toronto aforesaid— also  
five houses situate on the West side of Snaffle

Street in the said city of Hamilton occupied respectively by Michael Morgan Elizabeth Blainey Michael Pyron, Dinean Murray and Thomas Frany also to hold unto him his heirs Executors and Administrators absolutely and for ever lots seven and eight on the South side of Union Street in the town of Owen Sound

I give unto my daughter Amelia Watkins Wife of John Watkins of the said city of Toronto Merchants Clerk during the term of her natural life and after her decease to the heirs of her body for her sole and separate use and free from her husbands control the following property to wit - Two brick houses on the North side of Adelaide Street opposite the Court house occupied by Columbus St Greene and Wadsworth and Unwin respectively and numbered respectively forty and forty four one frame house on the South side of Albert Street occupied by John Forsyth numbered Eighty three one rough cast house on the South side of Melinda Street numbered twenty five lately occupied by Richard Hill Two frame houses on the South side of Albert Street numbered sixty seven and sixty seven and occupied respectively by Mary Dempsey and Mary Daley; one frame house situate on the West side of Elizabeth Street numbered twenty occupied by J. B. Lewis as a Carpenter shop - Two frame houses on the South side of Richmond Street off Yonge Street numbered ninety nine and one hundred and one and occupied respec

-trily by John Connor and John Beaus  
 and Ann Shields with the houses situate  
 in the rear of said lot; one house on  
 the south side of Albert Street numbered  
 seventy nine occupied by John Kennedy and  
 two houses on the north side of Albert Street  
 numbered sixty six and sixty six and a half  
 occupied by Thomas Holgrave and Thomas  
 Davis all in the said city of Toronto  
 Also all the houses Town on Park Street in the  
 city of Hamilton occupied by Charles J  
 Quinn William Larkin, Joseph Cowen  
 and James McCulliffe Also a vacant  
 Lot on Park Street having a frontage  
 of Sixty feet Also to hold unto her  
 her heirs Executors and Administrators  
 absolutely and forever Lots numbers ten on  
 the South West side of Garafraxa Street  
 and ten on the <sup>North</sup> East side of Garafraxa  
 Street in the Town of Owen Sound

187

I give to my Wife during the term of her  
 natural life the house I now live in being  
 Number twenty three on the south side of  
 Carleton Street.

I give to my housekeeper Mary Joy during  
 the term of her natural life an annuity  
 of Seventy two dollars per annum to be  
 paid to her by my Children heretofore  
 named as devisees in equal shares of  
 two dollars each monthly the first  
 payment to be made one month after  
 my decease.

I charge all the property devised to my  
 Children situate in Toronto aforesaid  
 with the payment of the annuity of ~~my~~

four hundred dollars to my Wife -  
 In case any of my said Children die  
 leaving a Wife or husband surviving it  
 is my Will and desire that such Wife or  
 husband should receive an annuity of  
 one hundred and twenty dollars during  
 the term her or his natural life and only  
 while they remain the widows of my <sup>said</sup> Chil-  
 dren and unmarried, <sup>and only while my said daughter's husband remains her dowry</sup> payable out of  
 the income to be derived from her or  
 his husband or wife's property -

And hereby appoint my said sons  
 William H. Abbott and Anderson Puffin  
 Abbott and my friend Adolphus H  
 Judah of Toronto aforesaid Carpenters  
 Executors of this my Will at the same  
 time revoking all Wills Codicils testamen-  
 tary dispositions and appointments  
 by me at any time heretofore made

Signed by the said Testator as his  
 last Will and testament in pre-  
 -sence of us present at the same  
 time who at his request in his  
 presence and in presence of each  
 other have subscribed our names  
 as witnesses this thirty first day  
 of March A D 1841.

(signed) W H Abbott.  
 (signed) R A Temple  
 J E Robertson

A Codicil of the annexed last Will and Testament of Wilson Ruffin Abbott of the city of Toronto Gentleman.

Wilson Ruffin Abbott of the city of Toronto do make and publish as and for a Codicil to my last Will and testament annexed hereto as follows

I Wilson Ruffin Abbott have deposited in the Western Canada Permanent Building and Saving Society in the city of Toronto the sum of six thousand dollars bearing interest at six per cent per annum and I direct the same to remain on deposit as and for a legacy until such time as my oldest grand child shall become of age at which time the said six thousand dollars with the accrued interest thereon shall be equally divided among my grand children as shall or may then be living and each of them shall receive such portion or share of the legacy as they are entitled to as soon as he or she shall become of age share and share alike The Males to be of the full age of twenty one years and the females the full age of twenty eight years -

Thereby recognize the issue of my son Anderson Ruffin Abbott and Mary Ann Abbott his wife the issue of my daughter Amelia Etta Watkins and John Lloyd Watkins her husband and the issue of my son William Newton Abbott and Corliss Lane Abbott

his Wife and all other lawful issue  
 of the said Anderson Ruffin Abbott  
 Amelia Etta Watkins and William  
 Henson Abbott to be my grandchild-  
 ren by lineal descent for all the pur-  
 poses set forth in this Codicil and  
 if I should use any portion of the  
 said Six thousand dollars for any  
 other purpose than is herein declared  
 and expressed I shall and will replace  
 the amount so used with interest  
 thereon at Six per cent. Thereby  
 revoke that Clause in my Will  
 bequeathing to Mary Foye my  
 Wife's Sister an annual stipend  
 of one hundred and eight dollars  
 and hereby give and bequeath  
 to her the sum of one hundred  
 and fifty dollars in full payment  
 of my bequest to her. Thereby be-  
 queath an annual stipend of  
 forty dollars to be paid after  
 my death to the Conference of the  
 British Methodist-Episcopal  
 Church for the benefit of those Mi-  
 nisters of the Ontario District in  
 the Province of Ontario in charge  
 of Stations where their congregations  
 are unable to support them until  
 for and during the term of ten years  
 After my death all income proceeds  
 rents and profits or other benefit  
 accruing from my Estate after  
 all expenses debts dues demands  
 or encumbrances shall have been



paid off. Shall be yearly deposited  
 to the Credit of my Children An-  
 derson Puffin Abbott Amelia  
 Etta Watkins and William New-  
 son Abbott or their heirs and as-  
 signs in some good and reliable  
 Chartered or incorporated Bank  
 The amount so placed in Bank shall  
 be deposited to the Credit of the heirs  
 of the Abbott Estate from which  
 amount shall be drawn annually  
 two thirds of the amount of the previous  
 Years accumulations (after all  
 Expenses are paid) which sum shall  
 be equally divided among my heirs  
 Anderson Puffin Abbott Amelia  
 Etta Abbott Watkins and William  
 Newson Abbott or their legal repre-  
 sentatives to be used by each  
 of them in such manner as may  
 seem to them or her best. But  
 no money shall be drawn from  
 the funds so deposited to the credit  
 of the heirs of the Abbott Estate  
 without the consent or joint action  
 of at least two of my said heirs  
 Anderson Puffin Abbott Amelia  
 Etta Watkins and William Newson  
 Abbott or their representatives  
 and as to the clear remaining  
 one third accumulations of rents  
 and proceeds I hereby direct that  
 the same shall and may be used  
 for the purpose at all or any time  
 of rebuilding building or repairing any

1877

1877

of the Estate property from time to time as may be requisite. But in the event of the one third such accumulations not being used or required the same to remain on deposit on interest in the Bank and if at any time the same should exceed the sum of six thousand dollars then and in such event I direct and empower my Executors to withdraw such excess or overplus of six thousand dollars of the one third yearly accumulations and divide it among my said heirs Anderson Ruffin Abbott Amelia Ella Watkins and William Henson Abbott upon the same terms and conditions as the two thirds portions of the annual accumulations above mentioned but in no event to infringe upon the one third accumulations for such distribution only so far as its excess may exceed the sum of six thousand dollars.

And I do hereby direct and will that the Estate property in so far as it relates to buildings shall be at all times kept duly and properly insured and paid out of the Estate moneys.

In the event of the death of any or either of my immediate heirs Anderson Ruffin Abbott Amelia

Etta Watkins and William Henry  
 Abbott it shall be and I do direct  
 it to be the privilege of the heirs of  
 such deceased Child or children  
 of mine above named to withdraw  
 their interest from the Estate  
 which shall consist of one third  
 of the real Estate and one third of  
 all moneys invested in Securities  
 or deposited in Bank to the Credit  
 of the heirs of the Abbott Estate  
 or if he or they elect to let it  
 remain then the Executors or  
 the lawfully appointed representa-  
 tives of the deceased shall have  
 the same control and supervision  
 of the interests of the heirs of such  
 deceased as if he or she were  
 living and until some one of  
 such heirs becomes of age -  
 I hereby direct that my household  
 property shall be sold at public Auction  
 or otherwise as most profitable  
 after my death and the proceeds  
 equally divided among my children  
 and I will and direct that if at  
 any time my heirs Anderson  
 Ruffin Abbott Amelia Etta Watkins  
 and William Henry Abbott  
 find it more advantageous  
 or desirable they may by mu-  
 tual consent and agreement  
 among themselves divide the  
 Estate real and personal each  
 taking equal portions which I

hereby devise and bequeath to them  
 their heirs and Assigns forever.  
 And I hereby give devise and bequeath  
 all and any moneys and securities  
 for money which I may have at  
 my death either in Bonds or  
 otherwise Except as to the six thou-  
 -said dollars deposited as above  
 mentioned I give and bequeath the  
 same to my Sons Anderson  
 Ruffin Abbott William Henson  
 Abbott and my daughter Amelia  
 Elta Warriss to be equally divided  
 among themselves share and share  
 alike. And I hereby will and di-  
 -rect that any Clause or apporportion-  
 -ment of lands moneys or securi-  
 -ties which I have made in a former  
 Will or testament which shall  
 in any wise be at Variance  
 with this Codicil and the purpose  
 of this Codicil I hereby revoke and  
 annul - And I hereby express  
 Desire wish and advise to my  
 said immediate heirs that they  
 do not dispose or sell any of the  
 real property which may fall  
 to or be allotted to either on any  
 of them as their individual share  
 of my Estate -

In witness whereof I have here-  
 -unto set my hand and seal  
 this second day of September  
 in the year of our Lord one thou-  
 -said eight hundred and

Seventy six.

Signed sealed published  
and declared by the said  
Testator Wilson Ruffin  
Abbott as and for a  
Codicil to his last Will  
and Testament in the  
presence of us who at  
his request and in  
his presence and in  
the presence of each  
other have hereunto  
Subscribed our names  
as witnesses thereto

(Sgd) W. R. Abbott. (Sd.)

(Sgd) S. W. Read  
" J. M. K. Hearns

x'd. W. R. Abbott  
Sgd. Ruffin

Q 104  
1876

Subrogate Court

York.

Probate

of the last Will & Test

of Nelson Duffin Abbott

late of the city of Toronto

Esquire deceased.

dated 21<sup>st</sup> Nov. 1876

Emery & Farnham

Esqrs

Folio 424

Register

1876  
July 19<sup>th</sup> 1881

Book of Entries, in Book  
for 1876, at 10.24 o'clock  
of the 16<sup>th</sup> day of A. D. 1876.

505  
1876

In Her Majesty's Surrogate Court  
of the County of York.

Be it Known, that on the *twenty first* day of *November*  
in the year of our Lord one thousand eight hundred and seventy *six* the last  
Will and Testament *with Codicil thereto* of  
*Wilson Ruffin Abbott* late of the *city* of  
*Toronto* in the County of *York* Esquire  
who died on or about the *sixth* day of *November*  
in the year of our Lord one thousand eight hundred and seventy *six* at  
*Toronto aforesaid*  
and who at the time of *his* death had a fixed place of abode at *Toronto*  
in the said County of *York*

was proved and registered in the said Surrogate Court a true  
Copy of which last Will and Testament *and Codicil is*  
hereunder written; And that the administration of all and singular the personal estate  
and effects, rights and credits, of the said deceased, and in any way concerning his  
Will, *and Codicil* was granted by the aforesaid Court to

*23.* *Anderson Ruffin Abbott of the*  
*Town of Chatham in the County of the city of Kent. Doctor of Medicine*  
of ~~*Hamilton*~~ in the County of ~~*Westmorland*~~ ~~*Methodist*~~  
~~*Minister*~~ *24* *William Henson Abbott*  
*of the Town of Chatham in the County of*  
*23* ~~*Westmorland*~~ ~~*Methodist Minister*~~  
*Kent Doctor of Medicine and Adolphus*  
*Houston Judah of the city of Toronto*  
*aforesaid Contractor*

the Executors named in the said Will, *they*  
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, *and*  
*Codicil* so far as *they* are thereunto bound by law;  
And to exhibit a true and perfect Inventory of all and singular the said estate and  
effects, rights and credits, and to render a just and true account of *their*  
execut or ship whenever required by law so to do.



*H. Cayley*

*K. Mackenzie*  
*Surrogate*

Registrar of the Surrogate Court of the County of  
*York.*