

This is the last Will and Testament.

2.

of me Joseph Bullis of the Town of Chatham in the County of Kent and Province of Ontario, Gentleman.

1. I hereby revoke all former and other wills and testamentary writings, in the nature thereof, and declare this only to be and contain my last will and testament.
2. I direct that all my just debts, funeral and testamentary expenses, including the expenses of proving and registering this my will, be paid by my executor and executrix hereinafter named out of my personal estate.
3. I give and bequeath to my beloved wife, Emeline Bullis, the sum of seven hundred dollars, and all the house hold goods, supplies, furniture and household stuff, of whatever description, which shall belong to me at the time of my death, to be hers absolutely.
4. I give and bequeath to my son, Edward Bullis, the sum of thirteen hundred dollars.
5. I give and bequeath to my daughter, Lucy Keyes, wife of Thomas Keyes of Wolfe Island, mechan, the sum of four hundred dollars.
6. I give and bequeath to my daughter, Eliza New Kirk, wife of William New Kirk of the Township of Dover East in the County of Kent, yeoman, the sum of four hundred dollars.
7. I give and bequeath to my daughter, Emma McKinlay, wife of John Th. McKinlay of Dover East aforesaid, yeoman, the sum of four hundred dollars.
8. I give and devise to my daughter, Emma McKinlay, aforesaid, Lots numbers Thirty-five and Thirty-six in Block "B" as laid out on Park Lot number One, south of Park Avenue, (formerly part of the Township of Marwick) in the Town of Chatham in the said County of Kent,

as subdivided by one Army Smith, a plan whereof is registered in the Registry office in and for the said County of Kent; to be hers absolutely and forever.

9. I give and devise to my said wife Emeline, the North-East half of the North-West half of Lot number Sixteen in the Fifth Concession by the Western Boundary or Second Range from the River Thames, of the Township of Raleigh in the said County of Kent, containing fifty acres, more or less, for and during the term of her natural life.
10. I give and devise to my trustees hereinafter named and to the survivor of them, the North-East half of the South-East half of Lot number Sixteen aforesaid, containing fifty acres of land, more or less, to have and to hold the same unto and to the use of my said trustees and the survivor of them in fee simple, upon and subject to the following trusts, that is to say:

First: If my son, Samuel Bullis shall within one year after my decease pay to my said trustees, or the survivor of them, the full sum of five hundred dollars of lawful money of Canada, they or the survivor of them are to permit him, my said son Samuel and his assigns, from the time of such payment to use and enjoy and to have the rents and profits and issues of the said North-East half of the South-East half of said lot number Sixteen, for his own benefit for and during his natural lifetime.

Second: If my said son Samuel shall so pay my said trustees, or the survivor of them, the said sum within the said time and shall die leaving him surviving a child or children or descendants to herself, then, in such case, my said trustees or the survivor of them shall convey the said last mentioned lands to such child or children or the descendants thereof, in such manner and in such shares or proportions and subject to such conditions

(if any) as my said son Samuel shall by his last will and testament appoint and impose; and in default of such appointment by my son Samuel, I direct my said trustees or the survivor of them to convey for trust after my said son Samuel's death the said last mentioned lands to his child or children and the descendants of such as shall be then dead as tenants in common in equal shares;

Third: Should my said son Samuel so pay the said sum of five hundred hundred dollars as aforesaid and thereafter die without leaving a child or descendant of such him surviving, in such case, except my said trustees, or the survivor of them, with all reasonable despatch and diligence (but so as to realize a fair price therefor) to sell and absolutely dispose of the said lands and premises so held by them in trust, either by public auction or private sale, as to my said trustees, or the survivor of them shall be deemed most advisable, and to convey and assign the same to the purchaser or purchasers thereof by good and sufficient deed; and the proceeds thereof to divide up as follows:

A: To pay thereof, in the first place, the cost and expenses of and incidental to such sale and conveyance and of and incidental to the execution and carrying out of this trust for sale, and the distribution hereinafter made of such proceeds;

B: In the next place to pay thereof, the sum of five hundred dollars to the widow of my said son Samuel, if he leave a widow, and to distribute and divide the remainder thereof among my children living at the time of Samuel's death and the descendants of such of them as shall be then dead, in such manner that each of my children who are

then living shall receive such a share as would have been received by him or her were all my children then living and such remainder divided equally among them; and so that such descendants of each of my children then dead shall receive in equal shares, the share which their parent would have received if then living;

C: Should my said son Samuel die without leaving a child or children or descendants or a widow, him surviving, I direct my said trustees or trustee surviving, as the case may be, to divide the proceeds of such sale, after payment of the cost and expenses aforesaid, among my children living at the time of my said son Samuel's death and the descendants of such as shall be then dead in the manner mentioned in the last preceding sub-paragraph

B:

Fourth: Should my said son Samuel not pay the said sum of five hundred dollars within one year after my decease, I then direct my said trustees, or the survivor of them, forthwith to sell and absolutely dispose of such convey in manner aforesaid the said lands and premises so held in trust and after payment thereof of the cost and expenses aforesaid, to divide the remainder of the proceeds of the sale among my children living at the time of my decease and the descendants of such as shall be then dead, in the manner mentioned in the preceding sub-paragraph **B**, substituting for the period of distribution therein named, the time of my decease.

Subject to the life estate therein herein before given to my said wife, and after her death, I give and devise to my trustees herein after named

5.

and the survivor of them, the North-east half of the North-east half of said lot number Sixty-four; to have and to hold the same unto and to the use of my said trustees or the survivor of them, subject to and upon the following trusts:

First: If my son, George Gallis, shall pay them or the survivor of them the full sum of twelve hundred dollars of lawful money of Canada, within one year after my wife's decease, I then direct my said trustees or the survivor of them to convey the last mentioned property to my son, George, by good and sufficient deed in fee simple free from encumbrances;

Second: If my said son, George, should predecease my said wife leaving a child or children or descendants thereof surviving my said wife, and he, by his last will and testament, nominates and appoints to some one or more of his said children or their descendants, who shall survive my said wife, as the person or persons to whom upon such payment being made, he desires such last mentioned lands to be conveyed; then in such case, if such nominee or nominees pay to my said trustees, or the survivor of them, the full sum of twelve hundred dollars aforesaid within one year after my wife's death, I direct my said trustees or the survivor of them to convey such lands to him or them, as the case may be, in manner aforesaid:

Third: Should my said son, George, or his nominee or nominees aforesaid, as the case may be, not pay the said sum of twelve hundred dollars within one year after my wife's death, I then direct my said trustees or the survivor of them to sell and absolutely dispose of the said last mentioned lands with all reasonable

dispatch and diligence (but so as to obtain a fair price therefor) in manner herein before set forth, and to convey the same to the purchaser or purchasers in manner hereinbefore mentioned; and after payment thereof of the cost and expenses, as aforesaid, to distribute and divide the remainder of the proceeds among such of my children as shall be living at the time of my said wife's death and the descendants of such of them as might be dead; the distribution and division to be made in the manner set forth in sub-paragraph "B" aforesaid, substituting for the period of distribution therein specified, the time of my said wife's death.

12. The rest and residue of the real and personal estate which I may die possessed of or entitled to, I direct my executor and trustee and the survivor of them (whom I now appoint trustees for the purpose) to convert into ready money, as soon as may be after my decease, and to distribute and divide the proceeds, less the cost and expenses of and incidental to the sale and the execution of this trust, among my four children, Edward Gallis, Lucy Keays, Eliza New Kirk and Emma McMurtry aforesaid, and the descendants respectively of such of them as may predecease me; the distribution and division to be made in the manner hereinbefore set forth in sub-paragraph "B", substituting for the period of distribution therein named, the time of my death.

13. Any advances which I have already made in which I may hereafter make during my lifetime to my children or their descendants or any of them, are not to be taken into account in any way in the administration of my estate under this my will; but, on the contrary, my estate shall be administered in the

7.

manner herein before set forth strictly. Nothing herein contained shall, however, in any way, be construed as relieving my said sons, Samuel and George, or either of them, from the mortgage indebtedness respectively now owing by them respectively, on parts of said lot number sixteen, but, on the contrary, the same shall be collected in by my said executors and executrix according to the terms of the respective mortgages.

14 And I hereby declare that the provision herein before made for my wife, Emilie, shall be taken by her in lieu of and in full satisfaction of all rights which she has or may have to demand in the way of surviving me, and all rights and claims which she has or may have to in my estate under or by virtue of any statutes of distribution or otherwise howsoever.

15 And I hereby appoint my said wife, Emilie, and my son, William Henry Ballis, now of the Town of Dresden in the County of Kent, Doctor of Medicine, the executors and trustees and the trustees for the purposes aforesaid of and under this my last will and testament.

In witness whereof, I have caused to be put my hand and seal to this my will contained on this day the six hundredth day of January in the year of our Lord eighteen hundred and ninety two, and executed by me and testator, Joseph Ballis, in his last will and testament, in my light and presence, and that at his request, with other all being present at the same time, we subscribers are ready to witness here to make the execution of the will, even having been read & understood twice over, and the word "done" or any thing in like effect, a part thereto, and the red "here" on the execution of page four and words "whereas" on line twelve, right of page five having been read and written in substantially, all before the sign; and also to work all unexecuted & illegible, a new soon, when mention

Feb 11 1892
J. H. Lewis

Joseph H.
Ballis

last will
and
testament
X

Joseph Ballis

year 1892
2 months, 1 week & 4 days

Commissioner of Probate
summons to have filed with the court
copy of this instrument, copy of which
was to execute on the 7th instant
the original instrument on the 7th instant

"A"

James Stephens W.H. Ballis
Commissioner of Probate
Executor

This is the paper writing referred to in
the here to annexed affidavit of
Emilie Ballis (oak of Executor) sworn
before me this 25th day of November 1892
W. H. Ballis
a Commissioner to
Emilie Ballis
Co. Kent
Executor

Chesterfield
Chesman