

Counts of Victoria } I Jereemih O'Leary of the Town
 of Fox. } of this day in the presence of
 Victoria Purchaser make oath and say
 that I was present and did see Francis Mc-
 Cabe the Testator duly sign seal execute and
 declare the instrument to which the within
 Memorial relates as and for his last will
 and Testament on the day of the date thereof

That I was also present and together
 with another subscribing witness saw the said
 Memorial duly executed by Francis Mc Cabe
 therein named. That I am a subscribing
 witness to the execution of both said instru-
 ments which were respectively executed at
 the Township of Ope and the Town of
 Fox on the

27th day of August
 A.D. 1862

J. O'Leary
 J. O'Leary

Memorial of
 Francis Mc Cabe
 Will
 Report 1.40. Pk
 on 27. Aug
 1862. B. B. 11. 5
 pg 10
 Mr. O'Leary
 W/ 19 ~ 9
 W/ 20 ~ 9
 Ope

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 A Memorial be registered of a Will in the words
 and figures following that is to say In the name
 of God amen, I Francis Mc Cabe of the Town-
 ship of Ope in the County of Victoria and Province
 of Canada Roman, being of sufficient state of
 health but of sound mind do make this my
 last will and testament and do revoke and
 annul all wills and testaments that I have hereto
 fore made. I bequeath to my Grandson Francis
 McCabe (now about two years of age) son of Simon
 McCabe of the Township of Ope aforesaid Yeoman
 the West half of Lot number twenty in the
 Ninth Concession of the Township of Ope aforesaid
 To have and to hold unto him the said Francis Mc
 Cabe on his attaining his Majority of twenty one
 years and to his heirs executors administrators
 joint assignees forever with all appurtenances there
 unto in full and being freed from all incum-
 brances save and except that the the said Francis
 McCabe shall well and truly serve and obey his
 said Father Simon McCabe as it behoves a son to
 serve a father faithfully and obediently, and if
 the said Francis McCabe shall in anywise fail
 to serve his said father until he shall attain
 his majority as aforesaid the the said Francis
 McCabe shall pay or cause to be paid to his said
 father Simon McCabe his heirs executors or
 administrators the sum of Four hundred &
 Dollars before the said Francis McCabe shall
 become the owner or possessor of said lot,
 I bequeath to my son Simon McCabe aforesaid
 the use and possession of said land
 with all profits and emolument arising
 therefrom unto him the said Simon McCabe
 his heirs executors and administrators until

The said Francis McCabe shall have attained
his majority and complied with the conditions
before mentioned. The possession to the said
Union McCabe of the said land to be subject
to the condition that my son and son Patrick Dunn
of the Township of Ops aforesaid hereafter
shall have the use and possession for twelve
years one fourth of forty four rods square
(about twelve acres) of the southeast portion
of said Lot that is to say a square piece forty
four rods on the south boundary of said Lot
the forty four rods on the West boundary thereof
and twelve years to commence with the
date of this will and to be fully ended at the
expiration of twelve years from the date. I
also bequeath for the building and repairs of the
Roman Catholic Church at Sunday eight
dollars a year for twenty years. I also bequeath
to my said son Union McCabe three horses
which I now possess on the condition that he
the said Union McCabe shall bear the expense
of my funeral and burial which shall be in
the Roman Catholic Cemetery in the Town-
ship of Emily. I nominate and appoint
my son Union McCabe aforesaid as my lawful
executor to whom I bequeath all my personal ef-
fects not heretofore enumerated and I nominate
and appoint the said Union McCabe my special
heir and Patrick Fitzgibbon of the Township
of Ops aforesaid together with my executor to
this my last will and testament. I bequeath
to my son Francis McCabe of the Township of a
town in the county of Victoria aforesaid all my
right and title to the West half of Lot number
One Nineteen in the Parish Concession of the

Township of Ups aforesaid together with the crops
now growing thereon except the one half of
the barley crop and I bequeath the half of
the barley crop as said lot last mentioned
to Patrick Mc Cabe father in law to the said
Union Mc Cabe and in consideration of the
crops as the last mentioned. Lot as aforesaid
my said son Francis Mc Cabe shall pay the
one half of my Doctor's bill and if the said
Francis Mc Cabe fail or neglect to pay such
bill as aforesaid I mean one half thereof
he shall not be allowed to harvest or have
such crop but my son Union Mc Cabe
aforesaid shall have such crop on paying
or settling such bill, the Doctor's bill must
be arranged before the said Crops ripen, so
that there be no dispute about who
shall have it. To the said Francis Mc Cabe
my said son I bequeath my bed and bedding

Which said bill is or was said by
Jereenik Cleary of the Town of Lindsay
in the County of Victoria Decker and
John Fitzgerald of the Township of Ups in
said County of Victoria

And this Memorandum thereof is
herby required to be registered by and Union
Mc Cabe one of the devisees therein
mentioned

In witness my hand and seal the
twenty seventh day of August A D 1862

Sealed

In presence of

James Kemp

J. Cleary

Union Mc Cabe