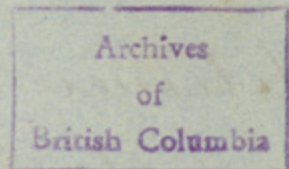




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Province of Lower Canada  
District of Three Rivers



To the Honourable Jean Roch  
Rolland Esquire, one of Her Majesty's Justices  
of the District of Montreal, and Assistant  
Judge of the District of Three Rivers.

The Petition of Isaac Gouverneur  
Ogden, Sheriff of the District of Three Rivers.  
Respectfully Sheweth

That Sarah Ogden,  
widow of the late Isaac Ogden Esquire, Judge  
of the Court of Kings Bench for the Dis-  
trict of Montreal, departed this life in the  
town of Three Rivers on the third day of  
August last, having on the fifteenth day  
of November, One thousand Eight Hundred  
and Thirty three, then made her last will  
and testament, signed with her hand and  
under seal, which said last will and testa-  
ment is known and recognised by the law  
of this Province.

That by the said will, certain  
moveable effects are bequeathed and certain  
lands and tenements are devised to your Pe-  
titioner whose interest it therefore is, that  
the said will should be proved and a probate thereof  
obtained.

Your Petitioner therefore prays that your Honor will be pleased to permit him to adduce the necessary evidence to establish the validity thereof, at such time and place as you may appoint and that the same being duly proved, it may be together with all other documents relating thereto and produced with the same, recorded in the Register of Probates of this District.

Dated Three Rivers this 23<sup>rd</sup> February 1839

Signed J. G. Ogden

Let the Petitioner and his witnesses attend before me instanter with the will, the probate whereof is required by the above Petitioner.

Three Rivers 23<sup>rd</sup> Feb<sup>r</sup> 1839

Signed J. B. Rolland

J B R

Isaac Gouverneur Ogden Esquire Sheriff of the District of Three Rivers, residing in the Town of Three Rivers, being duly sworn, deposed and saith, that he is the Son of the late Mrs. Sarah Ogden, during the latter years of her life of the Town of Three Rivers in the County of St. Maurice in the District of Three Rivers and Widow of the late Isaac Ogden in his life time one of the

Judges of His Majesty's Court of King's Bench  
for the District of Montreal

That the late Sarah Cogden gave into  
this deponents hands for safe keeping a Paper  
purporting to be her last will and testament  
and she stated that the said paper contain  
her will, That at the time, the said will  
now hereunto annexed was given into his hands  
as aforesaid it was enclosed in another pa-  
per, sealed with her seal at three different  
places, which said last mentioned paper is  
now also hereunto annexed.

That the deponent since the death of  
the late Mrs Sarah Cogden, that is to say on  
the eight day of August last past, did in pre-  
sence of two of the Sons of the said Sarah  
Cogden to wit Henry and Charles and other  
heirs open the said last mentioned paper, but  
not: till then was the said paper opened, the  
deponent having it in his possession under  
lock and Key

That from the time the said paper  
was here so entrusted as aforesaid to the depo-  
nent, to wit some time in the latter end of the  
year one thousand Eight Hundred & Thirty three  
or in the beginning of the following year, the  
particular time the said deponent is not positive

until the Eight day of August last past, the  
said papers were neither of them opened and  
that since that period the said papers pur-  
porting to be the last will and testament of  
the late Sarah Ogden has been in deponent's  
charge and has not been altered in any  
manner.

That the deponent was present when  
the said paper purporting to be the last will  
and testament of the said late Mrs Sarah  
Ogden was signed by her, and three  
witnesses, that the signature "S. Ogden" at  
the bottom thereof is the signature of her the  
said Sarah Ogden. That the witnesses  
signatures "L. Gugy" "Mary Cuthbert"  
and "Ed. Virginia" are the respective signa-  
tures of the Honorable Louis Gugy of the  
City of Montreal of Miss Mary Cuthbert  
of Lanoy in the District of Montreal,  
and of Edouard Virginia Esq Attorney of  
the Town of Three Rivers, the said signa-  
tures having been at the time the said  
Will was executed signed in presence of  
said deponent.

Sworn before me this (Signed) J. G. Ogden

23 February 1839

(Signed) J. R. Rolland J. B. No.

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Province of Lower Canada  
District of Three Rivers }



Edouard Bequia Esquire Advocate of the Town  
of Three Rivers in the County of St Maurice  
in the District of Three Rivers being duly  
sworn deposed and saith, that he was well ac-  
-quainted with the late Sarah Ogden, Widow of  
the late Honourable Isaac Ogden in his life time  
one of the Judges of His Majesty's Court of King's  
Bench for the District of Montreal, who during  
the latter years of <sup>her</sup> life resided in the Town of  
Three Rivers. That he was present on the fiftenth  
day of November which was in the year of Our  
Lord One thousand Eight Hundred and thirty  
three, at her domicile in the said Town of Three  
Rivers, when the late said Sarah Ogden being  
then of sound mind, voluntarily did sign seal  
and deliver the annexed paper as her last will  
and testament. That the said deponent did  
sign his name to the same as witness thereto  
and that at the time the late Sarah Ogden  
did so sign seal and deliver the said annexed  
paper as her said last will and testament, and  
when he the deponent did so sign as witness  
thereto, there were present also, the Hon-  
-orable Louis Guzy, Member of the Legislative  
Council

Counsel and then Sheriff of the District of  
Montreal and now residing in the District  
of Montreal and Miss Mary Cuthbert  
of the Parish of Louisy in the District of  
Montreal, both absent now from this Dis-  
trict, who both signed the said Will and  
testament as witnesses in the said deponents  
presence and that the signatures "L. Guger"  
and "Mary Cuthbert" on the said annexed  
paper purporting to be the last will and  
testament of the said Sarah Ogden are the  
respective signatures of the said Honorables  
Louis Guger and Miss Mary Cuthbert and  
hath signed.

Signed, Ed. Virginia

Sworn before me this

23<sup>rd</sup>. Feb. 1839 J. R. Rolland

J. B. K.

Province of Lower Canada  
District of Three Rivers }

Henry Judah Esquire of the  
Town of Three Rivers in the County of St  
Maurice in the District of Three Rivers being  
duly sworn upon the Holy Evangelists, deposeth  
and saith, that he is well acquainted with  
Louis Guger, late Sheriff of the District of  
Three -

Three Rivers, that the signature at the bottom  
of the paper purporting to be the last will  
and testament herewith annexed of the late  
Sarah Ogden to wit "L. Guger" is to the best of my  
knowledge and belief of the said Lewis Guger  
having seen him write and sign often, and  
the signature "Ed. Virginia" at the bottom  
of the said will is also the signature of him  
the said Edward Virginia the said deponent  
having seen him sign and write often, and  
hath signed

Signed, H. Judah

Sworn before me this

23<sup>rd</sup> Feb<sup>y</sup> 1839

Signed J. B. Rolland J. B. K

In the name of God, Amen,

I Sarah Ogden, now residing at the Town  
of Three Rivers, in the district of Three Rivers  
and Province of Lower Canada, Widow of  
the late Isaac Ogden in his life time one of  
the Judges of His Majesty's Court of King's Bench  
for the District of Montreal and of sound  
and disposing mind and memory do this 2<sup>d</sup>  
-teenth day of November One thousand  
Eight Hundred and Thirty three make this my  
last will and Testament, hereby revoking and

and annulling all other Wills and Codicils, here  
before made by me.

Imprimis, I do hereby give and  
devise and bequeath, both all my Estate, both  
real and personal of whatsoever nature  
it may be and wheresoever situate of which  
I may die possessed to be divided equally  
as follows, that is to say, one Eight part hereof  
equally among the Children of issue of the Mar-  
riage between the late Charles Savary Andrews  
and Catherine Ann Andrews the daughter of  
my late husband by a former Marriage.  
One Eight part thereof to Mary Brown Ogden  
Sister of the said Catherine Ann Andrews  
and daughter of my late husband by a former  
Marriage, One Eight part to my Grand daughter  
Ann Euretta Ogden, the daughter of my deceased  
son David Ogden and in case of her death  
under age and unmarried to the said Mary  
Brown Ogden. — One Eighth part to my  
son Henry Ogden if he should survive me,  
if not to his Children lawfully begotten.  
One Eighth part to my son Isaac if he survive  
me if not to his Children lawfully begotten. One  
Eighth part to my daughter Harriet Lawrence  
Evans, wife of Colonel Thomas Evans of His  
Majesty's 70<sup>th</sup> Regt of Foot should she survive  
me if not to her Children lawfully begotten.  
One Eighth part to my son Peter should he  
survive



me, if not to his Children lawfully begotten,  
and the remaining Eighth to my Son Charles  
should he survive me if not to his Children  
lawfully begotten and I do hereby nominate  
constitute and appoint my Sons, Henry, Isaac  
and Charles, Executors to this my last Will  
and testament hereby extending their powers  
as such Executors beyond the year and  
day and untill the final accomplishment  
of this my last will and testament

In testimony whereof I have herewith set  
my hand and seal this fiftenth day of  
November in the year of Our Lord One  
thousand Eight Hundred and Thirty Three.

Signed, Sealed, published, pronounced,  
and declared by the said Sarah Ogden  
as and for her last will and testament  
this fiftenth day of November in the year  
of Our Lord, One thousand Eight Hundred  
and Thirty three in our presence by the  
said Testator and by each of us as witnesses  
thereto

Signed,

L. Gugas

Mary Cuthbert

Ed. Nezina

Signed, S. Ogden  
(S)

Be it remembered that on the Twenty third  
day February, One thousand Eight Hundred  
and Thirty nine I the Honourable Jean  
Roch Rolland Esquire, one of the Justices  
of Her Majesty's Court of King's Bench  
for the District of Montreal and Assistant  
Judge of District of Three Rivers have

have proceeded to receive evidence of the  
executing of the Will hereunto annexed and  
considering the depositions also hereunto an-  
nexed of Isaac Gouverneur Ogden, Edward  
Vezina Esquire and Henry Judah Esquire  
I do hereby adjudge and decree that the  
said last Will and testament of the said  
late Mrs Sarah Ogden, Widow of the  
late Honorable Isaac Ogden bearing date  
fifteenth day of November one thousand  
Eight Hundred & Thirty three and the probate  
made thereof be recorded in the Register of  
Probates of the District of Three Rivers  
and that exemplification thereof be given  
according to Law.

This done at Three Rivers the day  
and year above written

Signed J. B. Rolland  
J. B. R.

I, the subscribing Prothonotary of the Court  
of Queen's Bench for the District of Three  
Rivers, do hereby Certify, that the above  
four proceeding pages are a true Copy of  
the last Will and testament of the said  
Sarah Ogden and of the probate thereof as  
recorded in the Register of Probates of the  
said District of Three Rivers, remaining  
of record in the said Court

Dated Three Rivers this Twenty sixth  
day of July one thousand Eight Hundred  
and forty four

Edward Damour  
J. B. R.

Last Will and Testament  
of the late  
Mrs Sarah Cogden  
Probate thereof  
Copy from a Copy of  
the Original