

The Will and Testament of
Mary Jane [Kirkpatrick] Fogan

Born Sep 19, 1848 and died Nov 7, 1913

Wife of James Fogan,

They married July 16, 1870 in Newcastle, New Brunswick

As transcribed from records at the Provincial Records Office in Newcastle

By Jim Benedict, July 2004

No. 423:

In the Name of God a[????], I Mary Jane Fogan of NewCastle in the County of Northumberland widow being of sound mind and understanding make this my last Will and Testament.

1st I assign all my just debts and funeral expenses to be first paid out of my personal estate.

2nd I give devise and bequeath onto my beloved son William Fogan all my real and personal property of whatsoever nature and kind and wheresoever situate to him his heirs and assigns for him.

I hereby revoke all other wills made by me. I hereby appoint the said William Fogan sole executor of this my last Will and Testament. In witness whereof I have here[???]to set my hand and seal the sixth day of March in the year of our Lord one thousand nine hundred and [?]

Signed, sealed and delivered by the testator } [signed] Mary Jane Fogan (LS)

Mary Jane Fogan to be her last }

Will and Testament in our presence and we in her presence and in the presence of each other have signed our names as witnesses:

E. P. Williston

James Forrest

Province of New Brunswick, County of Northumberland. I, Edward P. Williston of NewCastle in the county of Northumberland Attorney at Law make Oath and Say as follows:

1st that Mary Jane Fogan late of the Town of NewCastle aforesaid widow departed this life on the seventh day of November in the year of our Lord one thousand Nine hundred and thirteen.

2nd I am one of the attesting witnesses to this annexed [sic] instrument purporting to be the last will and testament of the said Mary Jane Fogan.

3rd That I did see the said Mary Jane Fogan sign the said instrument as and for her last will and testament and she did at the same time declare the same to be her last will and testament and that at the time of such signing Mary Jane Fogan and one James Forrest whose name is also subscribed to the said will as a substantiating [?] witness attesting to the execution thereof and myself were all present and that the names E. P. Williston and James Forrest were subscribed to the said will by these the said E. P. Williston and James Forrest respectively in the presence of each other and of the said Mary Jane Fogan.

4th That at the time of the signing of the said will the said Mary Jane Fogan appeared to me to be of sound and disposing mind and understanding }

Sworn to at NewCastle in the County of } [signed] Edward P. Williston

Northumberland this twelfth[?] day of November, 1913 Before Mr. J. R. Lawlon.