

# Will

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*nl.canadagenweb.org/wc\_wills\_ralphbrake.htm*

This is the last Will and Testament of me Ralph Brake of the Bay of Islands in the Island of West Newfoundland, Planter. First I will and direct that all my just debts, financial and testamentary expenses shall be paid and fully satisfied by my executors and hereafter named. I give and bequeath unto my son John Matthews Brake the sum of forty pounds, also I give and bequeath unto my son Joseph Matthews Brake the sum of one hundred pounds. Also I give and bequeath unto my daughter Elizabeth Matthews, the wife of Thomas Park of the Bay of Islands aforesaid the sum of twenty pounds. Also I give and bequeath unto my daughter Jane Matthews, the wife of William Wheller of the Bay of Islands aforesaid the sum of twenty pounds and also I give and bequeath unto my son Robert Matthews Brake the sum of one hundred pounds which said five legacies of forty pounds, one hundred pounds, twenty pounds, twenty pounds, and one hundred pounds. I will and direct shall be paid by my said executors out of my property in England and all and singular the cost residue and remainder of the property which I shall be possessed of or entitled to at the time of my decease or over which I have a disposing power or whether the same consists of money in the funds or otherwise upon security or at interest book and other debts, stock in trade or whatever sort or kind the same or any part thereof may be. I give first and bequeath the same unto my sons Robert Matthews Brake, Ralph Matthews Brake, William Matthews Brake their heirs executors, administrators and assigns equally between them, share and share alike so long as they continue in co partnership but if either of my said sons should part from the said company or partnership previous to my decease then my will and desire is and I direct that at my decease he be the sum of one hundred pounds in full discharge of his share and interest in the last bequeath and I do hereby further order and direct that if one of my said sons should die during my lifetime then my will and desire is that the share or shares of him or them dying should become the property of the surviving brothers equally between them, share and share alike and I do hereby nominate and appoint William Blanchard of the Bay of Islands aforesaid executor of this my will as regards all my property and effects in the Bay of Islands aforesaid and ???? in the Island of Newfoundland and do hereby nominate and appoint Joseph Bird of East Orchard in the county of Dorset, England, merchant, executor of this my will as regards all my property and effects in England in witness whereof I have here unto set my hand and seal this fifth day of August in the year of our Lord one thousand, eight hundred and thirty eight.

The mark and seal of Ralph Brake

Witness William Wolfe

The mark of William Gaulton

APPEARED PERSONALLY William Wolfe of Bonne Bay near the Bay of Islands in the Island of Newfoundland Merchant Clerk and at present residing in the parish of Saint James in the town and county of the town of Poole and made oath that he is one of the subscribed witnesses to the last Will and Testament of Ralph Brake late of the Bay of Islands aforesaid deceased. The said will being now hereto annexed and bearing date the fifth day of August one thousand eight hundred and thirty eight the said testator duly executed the said will by placing his mark at the foot or end thereof in the presence of this deponent and of William Gaulton the other witness thereto both of whom were present at the same time and this deponent there upon attested and subscribed the said will in the presence of the said testator and he further made oath that previous to the death of the said deceased, the said deceased sons of Ralph Matthews Brake and William Matthews Brake left the co partnership with the said deceased other sons

Robert Matthews Brake, Thomas Matthews Brake, James Matthews Brake, and Edward Matthews Brake and he further made oath at the time of the said deceased death the said deceased sons Robert Matthews Brake, Thomas Matthews Brake, James Matthews Brake, and Edward Matthews Brake were in co partnership together and have so continued ever since and are at present time in co partnership together.

Signed William Wolfe on the twenty seventh day of January 1844 the said William Wolfe was duly sworn to the truth of this affidavit by virtue of the annexed county.

Signed James C Park minister of St Peters Church in the Parish of Parkston in the county of Dorset.

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