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Bernard Kinnear
late of the Township of Oaklawn
in the District of Brock
Yeoman deceased.

Petition of Robert Cadie of the
Township of Oaklawn aforesaid,
and Archibald McQueen
of Mount Pleasant in the
York District, (Queens) to
exhibit and prove Will.

filed 23 Jan'y 1848

J. G. N.
Registrar.

To His Honor William Lapinthe, Judge of the Surrogate
Court of the District of Brook.

The Petition of Robert Eddie of the Township of Oakland
in the District of Brook Wagon and Archibald McEwen of Mount Pleasant
in the Ga. District Mecklenburg

Humbly Sheweth.

That Bernard Kimear late of the Township of Oakland in the County
of DeKalb (in the District of Brook Wagon deceased in and by his last
Will and Testament bearing date on or about the twenty seventh day
of April one thousand eight hundred and forty seven appointed as your
Petitioners and one Thomas Eddie of Mount Pleasant appeared his Executors
to the said Will. and also on the same day added a Codicil thereto.

That the said Bernard Kimear departed this life on or about
the Month ^{day of June}. then next following and left goods
and chattels ^{in the said District} amounting in the whole to the sum of Forty two pounds
or thereabouts and did not leave goods and chattels in
any other District to the amount of five pounds. Your petitioners therefore
pray your honor will be pleased to admit your Petitioners to exhibit
and prove the said Will and Codicil reserving leave to the said three
Executors hereafter to come in and prove the said Will and Codicil
and to be admitted to take out Probate of the same.

Dated this 25th day of January
1848.

Robert Eddie
Archibald McEwen

IN THE SURROGATE COURT.

PROVINCE OF CANADA,
DISTRICT OF BROCK,
WOODSTOCK, TO WIT:

YOU *James O. Loane*
of the *Township* of *Bramford*

in the District of *Gre* and Province of Canada, *School Master* one

of the subscribing witnesses to the last Will and Testament of the late *Bernard*
Kinnear late of the *Township* of *Oakland*

in the District of *Brock* and province aforesaid *Yeoman*

Deceased, do swear that you were personally present and did see the said *Bernard*

and
Kinnear

sign, seal, publish and declare the *Will and Codicil*
and Codicil

now shown to you as his last Will and Testament; and you the said *James O. Loane*

do further swear that the names *Frederick Phelps*

and James O. Loane

which appear as Witnesses to the last Will and Testa-

and codicil
ment of the said *Bernard Kinnear* are the proper handwriting of ~~them~~ the said

Frederick Phelps and of ~~the said James O. Loane and that the said~~
Frederick Phelps ~~with the said James O. Loane and that the said~~ *Frederick*

~~Phelps~~ *who* together with you signed ~~their~~ names in the presence of the said testator and at his special instance and request; and you likewise further swear that you verily believe that the said *Bernard Kinnear* at the signing of the said last Will and Testament was of sound mind, memory and understanding.

So Help You GOD.

Sworn before me at Woodstock, this *25*
day of *January* 184*8*

W. Lapointe *Judge Surrogate Court Brock*

The last Will and Testaments, of Edward Minnear of the Township
of Oakland in the County of ~~North~~ in the District of Brock and in
the Province of Canada. Edward Minnear Minnear considering
the uncertainty of this mortal life, and being of sound mind and
Memory, (Willed to Almighty God for (the same) do make
and publish this my last Will and Testament, in manner and
form following (that is to say) First, I give and bequeath to my
eldest Daughter Anne or in the event of her death to her lawful
surviving Children the sum of Twenty five pounds Lawful Money
of this Province - I give and bequeath to my Daughter Janet or in
the event of her death to her surviving Children the sum of Twenty
five pounds Currency to be equally divided amongst them
I give and bequeath to my Son William the sum of Twenty five
pounds Currency and in the event of his death to be equally to
be divided amongst his surviving Children - I give and bequeath
to my Son James the sum of Twenty five pounds Currency
and in the event of his death to be equally divided amongst his
surviving Children I give and bequeath to my Son Thomas the like
sum of Twenty five pounds Currency and in the event of his
death to be equally divided amongst his surviving Children -
Which said several legacies or Sums of Money I will and order
to be paid to the said respective legatees, within Two Years after the
decease of myself and beloved Wife - The above sums respectively to
be paid by my Son in Law Archibald McEwen of Mount
Pleasant - And unto the said Archibald McEwen and to his
heirs and Assigns I give and bequeath, all that that Messuages
or tenements where I now live situated lying and being in the said
Township of Oakland in the County of ~~North~~ in the District of
Brock and in the said Province Containing by admeasurement

One Hundred acres by the same More or Less and being Composed
of the south half of Lot number fifteen in the first Concession of
the said Township of Cataraugus with all the appurtenances thereto
belonging of whatever kind. I will and bequeath to my son Andrew
with his heirs all that Messuages or townships, situate lying and
being in the Township of Concord and being the north east part of
Lot number fourteen in the first Concession of the said Township of
Concord containing Twenty five acres by the same More or Less
and in the event of my said son Andrew dying (or dying) without
having or leaving any Children to his said Land my will is that
the said Land be sold and the proceeds thereof be equally divided
amongst my surviving Children - and my will is that in the
event of my Beloved Wife surviving me that she remain and continue
in possession of all my estate and effects as she now is ~~possessing~~
as she lives - and my further will is that after our deaths
that all the Movable property be disposed of by acters or otherwise
sold at the direction of my Executors and that the proceeds of
the same when Collected and after all expences are paid be equally
divided amongst my surviving Children

And I do hereby appoint Robert Cadie of Cataraugus and
Thomas Cadie of Mount Pleasant and Archibald McCuen
of Mount Pleasant Executors of this my last Will and
Testament; hereby revoking all former Wills by me made

In Witness Whereof I hereunto set my hand and seal
the Twenty seventh day of April One thousand Eight Hundred
and Forty seven

Bernard Hinman

Witness
J. S. Hoam.
Frederick Phelps

a faith Codicil to his my last will and testament witnesses that
the further will of the said Bernard Kinneer is that my son Andrew
has the privilege of removing and taking away that Log House
situate on my farm in Calhoun the same Log House that was
built by David Kinneer and may take the same away without
any hindrance on the part of said McEwen or any other person

Witness
Jas. O'Loone
Frederick Phelps

Bernard Kinneer

