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John Malcolm

The condition of this obligation is such that if the within promised

of all and singular the goods chattels and credits of
deceased which have or shall come into the
of all and singular
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deceased which have or shall come into the
of all and singular

*Filed 11th Dec. 1846
J. C. V. R.*

heirs, executors and administrators, jointly by these presents
to be well and lawfully made; we jointly bind ourselves our heirs, executors

of the Province of Canada, in the sum of

and lawful heirs, jointly bound to

of the Province of Canada, in the sum of

of the Province of Canada, in the sum of

Know all Men by these Presents that we, *John Eddy of the Township of Oakland in the District of Brock Esquire and Shubael Bourne Master of the said Township of Brock and Belinda Parsons Wife of John B. Munn of Whites Town in the County of Gloucester State of New York Esquire* are held and firmly bound to the Right Honourable Charles Murray Esq. Lieutenant of the County of Gloucester in the Province of Canada

of the Province of Canada, in the sum of *Five hundred pounds*

~~Pounds~~ Currency, to be paid to the said *Governor General*

for which payment to be well any truly made we firmly bind ourselves, our heirs, executors and administrators, and each of us severally, separately and apart from the other of us bindeth *him* self, *his* heirs, executors and administrators, firmly by these presents.

Sealed with our Seal, and dated this *fifteenth*

Day of *December* 1846.

The condition of this Obligation is such, that if the within bounden

Belinda Parsons Munn administrator of all and singular the goods, chattels and credits of *John Maffoley* late of the Township of *Oakland*, in the County of *Brock* *Yorkshire*

deceased, to make or cause to be made, a true and perfect inventory of all and singular, the goods, chattels, and credits of the said deceased, which have or shall come into the hands, possession or knowledge of *her* the said *Belinda Parsons Munn*

or into the hands and possession of any other person or persons for *her* and the same so made, do exhibit or cause to be exhibited in to the registry of *the* Court, or before the *fifteenth* day of *January* next ensuing, and the same goods, chattels and credits, and all and other the goods, chattels and credits of the said deceased, at the time of *his* death, which at any time after shall come into the hands or possession of the said *Belinda Parsons Munn*

or into the hands and possession of any other person or persons, for *her* do well and truly administer according to law, and further do make or cause to be made, a true and just account of *his* said administration, at or before the *fifteenth* day of *January* 1846 and all the rest and residue of the said goods, chattels and credits, which shall be found remaining upon the said administration accounts, the same being first examined and allowed by the Judge of the Court, for the time being, shall deliver and pay unto such person or persons respectively, as the said Judge by his decree or sentence, conformably to the provisions in a certain Act of Parliament, intituled, "An Act for the better settling intestate Estates," and passed in the twenty-second and twentieth-third year of the reign of Charles 2d, and also in a certain Act passed in the First year of King James 2, contained, shall limit and appoint, and if it shall hereafter appear, that any last Will and Testament was made by the deceased, and the Executors or executors therein named do exhibit the same unto the said Court, making request to have it allowed and approved accordingly, if the said *Belinda Parsons Munn*

within bounden, being thereunto required, do render and deliver the said Letters of Administration [approbation of such testament being first had and made] in the said Court, then this Obligation to be void and of none effect, or else to remain in full force and virtue.

SIGNED, SEALED, AND DELIVERED,

In Presence of

Thos. Hutton

Belinda P. Munn
John Eddy Esq.
Shubael D. Maledon

IN THE SURROGATE COURT.

PROVINCE OF CANADA,
DISTRICT OF BROCK.

WOODSTOCK, TO WIT:

William Lapointe

By ~~JOHN FENOLD~~, Esquire, Judge of the Surrogate Court, in and for the District of Brock, aforesaid:

To *Belinda Parsons Munn* wife of *John B. Munn* of *White Town* *Oneida County, State of New York* and only daughter of *John Malcolm* late of the Township of *Oakland* in the District of *Brock* ~~deceased~~ GREETING:
Whereas, *John Malcolm* late of the Township of *Oakland* in the District of *Brock-McCormac* as is Alleged, lately died at *Oakland* in the District aforesaid, having left no last Will and Testament, and having whilst living, and at the time of his death, Goods, Chattels, and Credits, whereof the auditing, allowing, and finally discharging the accounts, are well known to appertain to me—and I being desirous that the said Goods, Chattels, and Credits may be faithfully administered, applied and disposed of, according to Law; do therefore grant unto you, the said *Belinda Parsons Munn*

full power to administer, and faithfully dispose of the Goods, Chattels and Credits, of the said deceased, and to demand, recover, and receive all such debts, which were owing to the said deceased, at the time of his death, and also to pay all such just debts, as the said deceased, at the time of his death did owe—so far as the said Goods, Chattels, and Credits will thereunto extend, and the Law require. And I do by these presents, ordain, depute, and constitute you the said *Belinda Parsons Munn*

Administratrix of the Goods, Chattels, and Credits of the said *John Malcolm* Deceased.

In Testimony whereof I have hereunto caused the Seal of the said Court to be affixed, and have hereunto subscribed my name, this *fourteenth* day of *December* in the year of our Lord, one thousand eight hundred and forty *five*.

John B. Fenold

W. Lapointe

JUDGE OF THE SURROGATE COURT.
DISTRICT OF BROCK.

Registrar.

IN THE SURROGATE COURT.

District of Brock, Canada West.

WOODSTOCK, }

TO WIT: }

Shubael Sours Malcolm, Yeoman

Of the Township of *Oakland* District of *Brock* and Province
~~Yeoman~~
aforesaid, maketh oath and saith that

John Malcolm, late of
the Township of Oakland, in the District of Brock
Yeoman, deceased

departed this life on or about the *twelfth* day of *September*
in the year of our Lord one thousand eight hundred and *forty six* and that to
the best of *his* knowledge and belief, as far as *he* hath been able to discover
the Goods and Chattels, Rights and Credits of the said deceased, within the said District
of *Brock* did not exceed the sum of *Five hundred*
Pounds Currency.

Sworn before me at Woodstock, this *14* day of *December 1846*

J. Lapin

Surrogate. District of Brock.

IN THE SURROGATE COURT.

DISTRICT OF BROCK, } YOU *Beluda Parsons Munn* ^{Wife}
 PROVINCE OF CANADA, } *in the County of Oneida in the State of New York, wife of John* of the Town-
 Woodstock to wit: } *ship of* ^{*Brook*} ~~in the District of~~
 and Province of Canada, Administra^{tion} ~~tion~~ of all and singular, the
 Goods and Chattels, Rights and Credits of *John Malcolm*
 late of the Township of *Oakland* in the District of *Brook*
 and Province aforesaid, *Yonaw*, deceased—do swear that the said *John*
Malcolm died intestate, on the *seventh*
 day of *September* one thousand eight hundred and *forty six*
 that you will well and truly administer the goods and chattels, rights and credits of the
 said deceased, and pay all his debts so far as the Goods and chattels shall extend, and
 the law shall bind you; and that you will exhibit a full, true, and perfect inventory of all
 and every, the said goods and chattels, rights and credits of the said deceased, and render
 a true and just account of your administration into the Registrar's Office of the said Sur-
 rogate Court, when you shall be thereto lawfully required, *and that you are the only*
child of the said John Malcolm.

So Help you God.

Sworn before me at Woodstock, in the said District of Brock,
 this *14* day of *December* 184*6*

J. Sapsnutau

Surrogate. DISTRICT OF BROCK.

District of New York
Forit - 3

In the Surrogate Court
of the District of New York

To William Saperoties Esquire

The Judge of the Surrogate Court of the
District of New York: The Petition of Sarah
Malcolmen of Oakland in the said District, Widow
Sheweth unto your Honor

That in or about the month of July
in the year of our Lord one thousand eight
hundred and ~~forty~~ thirty — your Petitioner
was married to one John Malcolmen of
Oakland aforesaid ^{Yeoman} now deceased, that your
Petitioner had Conversations with the
said John Malcolmen in his life time and
shortly before his decease respecting a
will ~~the~~ certain last Will and Testament
which the said John Malcolmen some
weeks before his decease had executed
in the presence of Eliakim Malcolmen of
Oakland aforesaid Yeoman, James Mal-
colmen of the same place Yeoman and
Amos Malcolmen of the same place
Yeoman and which said last Will and
Testament the said John Malcolmen
deceased in his life time informed your
Petitioner was placed in the hands of
the said Eliakim Malcolmen or of the
said James Malcolmen for safe keeping
That your Petitioner hath good reason
to believe and doth verily believe that
there were bequests and legacies devised
and bequeathed to your Petitioner in
and by the said last Will and Testament
That your

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Petitioner hath reason to believe and
doth verily believe the said Last will
and Testament lately wax and stile
is in the possession and Custody of
the said James Malcolm and Elizabeth
Malcolm or one of them, and that
they are combining and conspiring
together with divers other persons to
your Petitioner unknown to suppress
and keep back the said Last will
and Testament, and to hinder and
prevent the same from being pro-
duced to this Honourable Court
for proof - and to hinder and prevent
Probate thereof being granted to
the Executors therein named, and appointed
by the said Last Will and Testament
to administer the said Estate of the
said John Malcolm deceased, and
to hinder and prevent the said
Last will and Testament from
having its proper and legal and
effect and to hinder and prevent
the intentions and Will of the said
John Malcolm deceased from being
carried into effect and realized

That your Petitioner hath searched
in the Office of the Registrar of this
Honourable Court and finds that no

Last Will and Testament of the said
John Malcolm deceased hath ever
been there proven or Probate thereof
granted to any person or persons -

That Administration to the Estate and
Effects of the said John Malcolm
deceased was granted to Belinda
Parsons Mann of ~~Belinda White Jackson~~
in the County of ~~Belinda~~ in the State of New York
on the fourteenth day of December
now last past as the only Child of
the said John Malcolm deceased
as upon an intestate Estate and as
if the said John Malcolm deceased
had died without any Last Will and
Testament and Intestate.

Your Petitioner therefore humbly
prays your honor to grant a Citation
to the said Belinda Parsons Mann
so appointed as Administratrix as
aforesaid for the purpose of having
the said Letters of Administration produced
before your honor for Cancellation of your
honor shall so think fit. and also
to cite the said James Malcolm and
Elizabeth Malcolm before this Honorable
Court to produce the said Will or
well as any other Testamentary paper
or papers which they or either of them
may have in their possession for proof
and that Administration of the said
Estate and Probate of the said Will
may be granted to the Executors
or Executor therein named.

And your Petitioner Sarah Malcolm
Will ever pray
per Council and Solicitor

Dated 23rd January A.D. 1847.