

THIS IS THE LAST WILL AND TESTAMENT of me, Patrick O'Mullin, of the city and county of Halifax, in the Province of Nova Scotia, Banker.

First:- I revoke and make void all wills and testamentary documents heretofore executed by me.

Second:- I make, nominate and appoint my brother, ROBERT O'MULLIN, and my Nephew, JOHN COLL O'MULLIN, both of the said city and county of Halifax, executors of this my last will and testament.

(It) To the Dowry or First Installation of Mrs. J. as the wife of J. I give and bequeath to my said Nephew JOHN COLL O'MULLIN any and such pieces of my household furniture, pictures, plate and silver-ware as he may desire to take and retain for his own use.

Third:- I give, devise and bequeath all my property real and personal whatsoever and wheresoever situate, except what is heretofore devised, which at the time of my decease I, or any person or persons in trust for me, or are possessed of, or entitled unto, to my said executors upon trust to convert the same, except my house and premises heretofore mentioned, and the household furniture, pictures, plate and silver-ware therein contained, into money, and after payment of my just debts, and my funeral and testamentary expenses, to pay, first, the several bequests and legacies hereinafter mentioned in the fifth, sixth, seventh and eighth clauses of this my will to the several persons named therein, and

Patrick O'Mullin

(Fifth) My said executors shall pay the charitable institutions hereinafter named the sums following:

(a) To the Association for Improving the Condition of the Poor, the sum of two thousand dollars;

(b) To the Catholic Orphanage the sum of two thousand dollars; or the year of 1882, the sum of five dollars;

(c) To the Home of the Angel Guardian the sum of two thousand dollars;

(d) To the Monastery of the Good Shepherd the sum of one thousand dollars; of Laverack, Kerry County, Ireland, in

case be (a) To the Halifax School for the Blind the sum of one hundred dollars;

(b) To the Deaf and Dumb Institution of Halifax the sum of one hundred dollars;

(c) To the said Charitable Institutions being those in the City of Halifax commonly known and described by the names expressed in the list hereunto added, in case

of their liquidation, their said executors shall pay the following legacies:

(a) To His Grace the Archbishop of Halifax, at the time of his decease, the sum of one thousand dollars;

(b) To the Reverend Fr. Morfeally P. P. the sum of five hundred dollars; Ann Justice and the said brethren

of the said convent; and the said Fr. Morfeally P. P. the sum of one hundred dollars;

(c) To the Reverend Doctor William Coley P. P. the sum of one hundred dollars;

(d) To the Reverend Doctor Cornelius Campbell P. P. the sum of one hundred dollars;

(e) To the Reverend Charles Underwood P. P. the sum of one hundred dollars;

(f) To the Reverend Fr. G. Young P. P. the sum of one hundred dollars; in six months after my decease, if said legacies be not paid;

(g) To my housekeeper, Ann Carroll, the sum of two hundred dollars.

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personal use, pictures, plate and silverware therein contained, nor armed and equipped with servants, in any way, for my use at the time of my decease, provided that the sum of fifty dollars for the term of one year, at least, the sum of fifty dollars, to be paid to Robert James of the city of Halifax, N.S., the sum of fifty dollars, of the sum of fifty dollars, in the sum of fifty dollars.

D.H.

My said executors shall pay to my brother William Cunningham Macnamara, Derry County, Ireland, in case he survives me, the sum of one thousand pounds sterling money, and shall also pay the costs of exchange at the time that the same is paid, and in case he shall die before me, my said executors shall pay to Mary Ann Duddy, widow, Parish of Smasher, Derry County, Ireland, the sum of one thousand pounds sterling money, and shall also pay the costs of exchange at the time that the same is paid.

D.H.

In case the said Mary Ann Duddy and the said two said brothers shall have predeceased me, then the same shall form a part of my estate, and in any case of any such payment to said executors shall also pay the costs of exchange at the time the same is paid.

D.H.

My said executors shall pay to her two brothers Robert and Patrick Duddy, share and share alike, if both shall survive me, or if only one of the said two brothers shall have predeceased me, then the whole to the survivor; and if the said Mary Ann Duddy and the said two said brothers shall have predeceased me, then the same shall form a part of my estate, and in any case of any such payment to said executors shall also pay the costs of exchange at the time the same is paid.

D.H.

D.H.

I direct that my said brother Robert Cunningham shall have the option, which option shall be exercised by him within six months after my decease, of taking possession of the house and premises, the remainder of the use the said house and premises, or in case such survivor shall

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furniture, pictures, plate and silverware therein contained,  
 now owned and occupied by me and known as No. 30 Pleasant  
 Street, in the said city of Halifax and of having the possess-  
 ions and use of the same and premises (and their contents)  
 for the term of my natural life or so long as I shall live, free  
 from any and all taxes of whatsoever kind that may from  
 time to time be assessed upon said house and premises and  
 contents, and also the premiums of insurance thereon during  
 such time as I may personally use and occupy the same, and on  
 further condition that I, during the said period, do keep the  
 said house and premises in good repair, and if my said bro-  
 ther Robert O'Mullin shall predecease me, or in case that my  
 said brother shall survive me, then on the death of my said  
 brother or when and so soon as his occupation of, or his  
 right hereunder do cease, the said house and premises shall  
 cease and determine, I direct that my said nephew John O'Call-  
 aghan shall have the option, which option shall be ex-  
 ercised by him within six months after the happening of any of  
 the events hereinbefore mentioned, whichever of said events  
 shall first happen, of taking possession and of having the  
 possession, occupation and use of the said house and premises,  
 and contents on the like terms and conditions as are hereinbe-  
 fore expressed with regard to my said brother, Robert O'Mullin  
 for so long as my said nephew shall live; and in case my said  
 brother and my said nephew, and each of them respectively,  
 shall predecease me, or in case they or either of them shall  
 survive me, and they and each of them respectively shall fail  
 to exercise the option or options hereinbefore expressed, or  
 in case the survivor of them shall fail to possess, occupy and  
 use the said house and premises, or in case such survivor's oc-

...shall cease, and upon the death of the survivor of them, which  
...shall first happen, I do direct that the said  
house and premises and contents shall be sold by the Eastern  
Trust Company, which is hereinafter appointed my trustee, and  
that the proceeds of such sale shall form a part of the  
residue of my estate, in the said County of Kerry,  
Ireland, in and to said brother shall survive me, and as long  
as he shall live; and my said executors, after payment of the  
debts and charges hereinafter mentioned, shall assign,  
transfer and convey like The Eastern Trust Company, or the  
said City of Halifax aforesaid, a body corporate, incorporated  
under the laws of the Dominion of Canada, the said body and  
premises now known as No. 52, Pleasant Street, in the  
City of Halifax, subject to the directions of said brother Robert  
O'Mahony and my said nephew John Collins Mallin to possess,  
secure and use the same as herebefore provided; and my said  
executors shall pay to the said Eastern Trust Company all the  
rest and residue of my estate which said Company shall be  
trusted with and shall possess of the same upon trust to invest  
the same, and also the proceeds of the sale of the said debts  
and premises when the same are sold as herebefore directed,  
in good and safe securities, and hereafter to hold all the  
profits, residue and remainder of my estate and the income  
therefrom well and lawfully accumulated thereon, upon the  
special trusts hereinafter mentioned in the twelfth, thirteenth,  
fourteenth, fifteenth and seventeenth clauses of  
this my last will.

Fourteenth In and to said brother  
Robert O'Mahony, by the said Eastern Trust Company, which

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pre-decease me, or in case one of them should pre-decease the other, then my said trustee shall accumulate the shares of the income of the residue of my estate which would otherwise be payable to the one so dying, and when any one of them as hereinafter provided in the thirteenth and seventeenth clauses of this my will.

fourteenth:- And in case my said brother Robert O'Mullin and my said nephew John Coll O'Mullin should both pre-decease me or if one of them should die before the other and all of the annuities provided for in the tenth clause hereof shall have passed and determined, then my said trustee shall accumulate all the income of the residue of my estate, until such time as the said annuities shall have passed and determined and shall pay the same as hereinafter provided in the fifteenth and seventeenth clauses of this my will.

fifteenth:- and when each and all of the said annuities provided for in the tenth clause hereof shall have passed and determined, and after the decease of my said brother Robert O'Mullin and of my said nephew John Coll O'Mullin and of each of them, my said trustee shall pay out of the residue of my estate the following bequests and legacies, to-wit:- the sum of fifteen thousand dollars of Canadian currency to the Congregation of the Missionary Society of St. Paul the Apostle, commonly called the Paulist Fathers, of the city of New York, in the United States of America, or to the sum of fifteen thousand dollars of Canadian currency to the Literary Society of St. Vincent Ferrer commonly called the Dominican Fathers, of the city of New York, in the United States of America, or the value of any such, and the principal and the interest, at 4% market value, of any other

incorporated company, incorporated under the laws of some  
business in the Dominion of Canada, if any, which I may own

(c) The sum of ten thousand dollars of Canadian  
currency to be applied by His Grace the then Archbishop of Halifax, Nova  
 Scotia, to be applied by His Grace the Archbishop of  
 Halifax, or by his successor in office, to the education of  
 young men for the priesthood in the Archdiocesan diocese  
 of Halifax.

depreciation, or the value of any of the said mortgages, stocks  
 or bonds.

Sixteenth: All the Succession duties, if any,

payable in respect of the bequests, legacies and annuities  
 provided for in the fifth, sixth, seventh, eighth, eleventh  
 and thirteenth clauses hereof shall be paid out of my estate,  
 and in no such case shall any deduction be made from such  
 bequests, legacies and annuities for or by reason of such  
 duties.

Tenth and last clause hereof, I have subscribed to the  
 Seventeenth: All the rest, residue and remainders

of my estate whatsoever and wheresoever my said trustee shall

own to the Superior for the time being, in the Dominion of  
 Canada, or the Order of the "Compagnie de Jesus," commonly  
 known as the Society of Jesus, to be by said Superior applied  
 to the maintenance, support and development of the work of  
 the said Order of Society in the several provinces of the  
 Dominion of Canada.

Eighteenth: By said executor in paying over the

that and that one of my estate to my trustee, the said Eastern  
 trust company as provided in the tenth clause of this my will,  
 may assign and transfer to the said trust company, and the said  
 trust company may accept, the mortgages of real estate, if any,  
 and the capital stock at its market value of any bank, and  
 the stock and the bonds, at its market value, of any other

In the within named Patrick O'Mullin, or else I in  
present effect which I order and direct shall be taken

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to and for part of my within written law, viz: the testament  
made by me on the 27th day of June A. D. 1902. My executor  
incorporated company, incorporated under the laws of doing  
business in the Dominion of Canada, if any, which I may own  
or hold at the time of my death, and the said Trust Company  
may in its discretion retain the said mortgages, capital  
stocks and bonds as an investment for the whole or part of  
the said trust and residue of my estate, and shall not be  
accountable should any deficiency arise by reason of any  
depreciation in the value of any of the said mortgages, stocks  
or bonds.

IN WITNESS WHEREOF, I, the said Patrick O'Mullin,  
have hereunto set my hand and seal at the City of Halifax,  
in the Province of Nova Scotia, this twenty eighth day of June  
in the year one thousand nine hundred in the manner following  
that is to say, in the first place...

my hand by subscribing the same with my name, and to this  
tenth and last sheet hereof, I have subscribed my name and  
set my seal.

IN WITNESS WHEREOF, I, the said Patrick O'Mullin,  
have hereunto set my hand and seal at the City of Halifax,  
in the Province of Nova Scotia, this twenty eighth day of June  
in the year one thousand nine hundred in the manner following  
that is to say, in the first place...

WITNESSED, HEARD, SUBSCRIBED AND DECLARED  
by the said testator Patrick O'Mullin  
as and for his last will and testament  
the day and year first above mentioned  
in the presence of us present at the  
same time, who, at the request and in  
his sight and presence, and in the  
presence of each other, have hereunto  
subscribed our names as attesting wit-  
nesses.

(Sgd) Patrick O'Mullin

(Sgd) Robt. H. Harris  
of 133 Barrington Street, Halifax,  
N. S., Barrister at Law

(Sgd) Charles H. Cahen  
of 133 Barrington Street, Halifax,  
N. S., Barrister at Law

1902  
June 28  
133 Barrington Street  
Halifax  
N.S.

I, the within named Patrick O'Mullin, do make this present codicil which I order and direct shall be taken as and for part of my within written last will and testament bearing date the 28th day of June A. D. 1900. My executors shall pay to my housekeeper Ann Connolly the sum of four hundred dollars instead of the sum of two hundred dollars mentioned in clause numbered sixth (f) of my said will. My executors shall pay to my brother William O'Mullin of Letterkenny, Derry County, Ireland, in case he survives me the sum of one thousand one hundred pounds sterling money and shall also pay the costs of exchange at the time that I die instead of the sum of one thousand pounds sterling mentioned in clause numbered seventh of my said will. I do hereby revoke the clause numbered eleventh (a) of my said will and the annuity of thirty pounds sterling money to the said guardian of my brother Frederick O'Mullin therein mentioned. I do hereby ratify and confirm my said will bearing date the 28th day of June A. D. 1900 in all and every respect save in so

codicil

IN WITNESS WHEREOF I have hereunto set my hand and seal this 18th day of August A. D. 1901  
 SIGNED SEALED PUBLISHED AND DECLARED by the said Patrick O'Mullin as and for a codicil to his last will and testament, and to be taken as part thereof in the presence of us and each of us the persons whose names are hereunder subscribed as witnesses to the signing sealing and publishing the same and who did so hereunder subscribe our names at the request and in the presence of the said Patrick O'Mullin and in the presence of each other, this 18th day of August A. D. 1901

(Sgd) D. H. Clarke

Witnessed in the State of New York

J. P. Black

Charles H. Caban

*[Handwritten signatures and notes, including 'Patrick O'Mullin' and various illegible scribbles]*

Witnessed by my executors, shall be taken as and for part of my within written last will and testament

Institution hereinafter named in the same will and testament

Court of Probate  
P. Halifax N.S. Office of Registry

The foregoing is a true copy of  
the Will and the Codicils thereto of  
Patrick O. Madden, therein named  
deceased, which have been  
admitted to Probate.

Douglas Hoima  
Deputy Registrar

Office of Registry  
P. Halifax N.S.

1911

RECEIVED BY THE REGISTRAR OF PROBATE  
ON THE 11th DAY OF JANUARY 1911  
AT HALIFAX N.S.

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