

WILL OF HENRY WILLIAM WHITLOCK 1845

I Henry W. Whitlock do hereby make my last will and Testament in manner and form following, that is to say, First I give and bequeath to the Wife, Frances E. Whitlock, a certain tract of land, commencing at the Jefferson Mills, and thence to follow the fence, as it now runs in a straight line to the lands of Elizabeth Aston, including eighteen acres bought of Eugene Swann & to follow the road by Mrs. Clarke's house to the Main road leading from Jefferson to Michaux's Ferry and to cross the road, so as to include the lower half of the Woodlands beyond the Jefferson road adjoining the lands of Dan'l. P. Steger. And should any portion of the above named lands be sold under a deed or deeds of Trust for the benefit of my creditors, I wish my Wife to have such portion of my other lands as she may select, provided it does not exceed in value the part so sold, & should all my lands be sold, I wish her to have negroes if sufficient, if not other property to the value of the lands from which she shall be so excluded. I also give to my Wife Frances E. all my household and kitchen furniture of every kind also the house and land adjoining the Jefferson Mills free of toll. I also give my Wife Frances E. Six cows, twelve head of sheep, sixteen killing hogs, one yoke of oxen, one ox cart, four mules, two wagons, all of my crop of corn and oats, and as much seed wheat as she may want to sow, all of which I give her during he life and at her death to be equally divided between my children Mary Elizabeth, Ann Enora Watkins, Emily Catherine, Frances Adelaide and Alice Victoria. The above named stock to be selected by my wife.

2nd I give to my sons Armistead A. And William W. Whitlock, their riding horses. Armistead A. Is to have a sorel colt, if he desires it, and Wm W a sorel mare.

3rd I give to my three sons Armistead A., Wm. W. And Chastain B. Whitlock, the Jefferson Mills, ferry and store house, lumber house, dwelling house & lot attached thereto together with the lot between the mill and the river.

4th I give to my son James M. Whitlock, the sum of two hundred dollars, and I give to my son Patrick H. Whitlock the sum of three hundred dollars to be left in the hands of my son James M. Whitlock as Trustee, for the use and benefit of my said son P.H. Whitlock to be used and disposed of by the said James M. Whitlock as Trustee for the benefit of my said son P.H. Whitlock at the discretion of the said James M. Whitlock & not to the discretion of the said P.H. Whitlock but it is in no way to be appropriated in whole or in part to the payment of the debts of the said P.H. Whitlock.

5th I give to my daughter Caroline M. Whitlock one bed and furniture, one bureau, one negro girl or boy or such a one as she may select out of the negroes coming from Moseley's estate in Hanover.

6th It is my wish and desire that my Executor make sale of all the balance of my estate both real and personal and after the payment of all my debts, if any money remain, I wish it equally divided between my children, James M., Patrick H. and Caroline M. Whitlock, and portions coming to my son P.H. Whitlock I desire to go into the hands of my son James M. as Trustee herein before mentioned.

7th I leave to my executors the collecting of all claims due to me by bond, account, or any other way whatsoever.

8th It is my wish and desire that Richard F. Graves act as my Executor to administer this my last Will & Testament.

In Testamony of all which I have hereto set my hand and seal this ninth day of September, one thousand eight hundred and forty five In presence of

John C. Stratton

Jno R. Aston

Wm A. Scruggs

Henry W. Whitlock (seal)

At a Court of Quarterly Sesson begun and held for Powhatan County at the Courthouse thereof on Monday the 6th day of October 1845. The foregoing last Will and Testament of Henry W. Whitlock dec'd was presented in Court & Proved by the oaths of John C. Stratton and William A. Scruggs, two of

the subscribing witnesses to the same, and ordered to be recorded. And on the motion of Richard F. Graves, the Executor named in the said Will, who made oath thereto according to the law & together with Richard Bass, Bennett M. Bagby and Wilson Winfree, his securities, entered into and acknowledged a bond in the penalty of eight thousand dollars conditioned as the law directs, a certificate is granted him for obtaining a probat of the said Will in due form.

Teste

Wm. S. Dance C.

A Copy: Teste:

Wm. S. Dance C.

Henry William Whitlock was born in Powhatan Co., Virginia likely in the 1780s as he was age 50 to 60 on the 1840 census. We have not yet determined who his parents were. He married Lucretia Legg Oct.18,1815 in Powhatan Co. and they had three children, James Madison Whitlock, Carolina M. Whitlock & Patrick H. Whitlock. Henry W. married as his second wife, Frances E. (Allen) Seayers Oct.10,1826 in Henrico Co., Virginia. The youngest seven children are from this marriage.

Henry ran several businesses in Franklin, Powhatan Co. including a Ferry service, a tavern and a store. In 1841 he entered into a partnership with his eldest son, James Madison Whitlock. There was a partnership agreement drawn up but Henry, who could neither read nor write, did not think it was required and would not sign it. Following Henry's death in October 1845 there was a long legal suit resulting from the partnership and over how much of Henry's estate belonged to James Madison Whitlock. A huge collection of 651 pages of documentation has survived and is in the Virginia Archives (our reference R3425). This includes two Day books and the Ledger of the business James Madison Whitlock and Henry William Whitlock operated in Franklin 1841-1842. The collection also includes the Wills of Henry William Whitlock and his father-in-law Christian Allen. Frances E. Allen was married first to a Seayers and had at least one child when she married Henry Whitlock. Charles Allen acted at Surety for Frances' marriage to Henry in 1826.

I have added this family to the end of the WHITLOCK23 chart as likely connect to the Henrico Co., Whitlocks. Our thanks to Tina Adams who found these documents on-line at the Virginia Archives. I am also in contact with Bob Wright who descends from Henry's son Armistead A. Whitlock.

SOURCES: R0396; R1674; R3425; X5964; X6307