

# Last Will and Testament of Elizabeth Whitlock

In the Name of God, Amen:

I, Elizabeth Whitlock, of the town of Ephratah, County of Fulton and State of New York, being of sound mind and memory, do make, ordain, publish and declare this to be my last Will and Testament, that is to say:

First: After all my lawful debts are paid and discharged, I give, devise and bequeath to my son Ira S. Whitlock, all my real property of every name and nature of which I may die possessed, including the farm and lands known as the John P. Whitlock farm located partly in the town of Ephratah Fulton County and partly in the town of Palatine, Montgomery County, State of New York, forever, subject to the payment of the annuity to John A. Whitlock as hereinafter mentioned and provided:

Second: I give and bequeath unto my son John A. Whitlock an annuity of two hundred and fifty dollars (\$250.00) to be paid to him each year, providing my said son John A. Whitlock be discharged from the insane hospital as of sound mind and memory and as long as he remains of sound mind and memory, the said annuity to be paid to him by my son Ira S. Whitlock and the payment of said annuity is hereby made a lien and charge upon the real property hereinbefore devised to my son Ira S. Whitlock; the said annuity is intended for the support and maintenance of my said son John A. Whitlock, and shall not for any cause be diverted from that purpose nor in any way be liable for the payment of any debts of or claims against my said son John A. Whitlock now existing or hereafter contracted, and in case of a sale or assignment of said annuity by my said son John A. Whitlock or in case of an order or judgment of any court directing the payment from the purpose aforesaid then the said annuity shall cease and my said son Ira S. Whitlock be thenceforth absolved and freed from the payment thereof and the same shall cease to be a lien and charge on the real property hereinbefore devised to him:

Third: I give and bequeath to my daughter Elora May Failing the sum of ten thousand dollars (\$10,000.00) to be paid to her out of my personal estate.

Fourth: I give and bequeath to Carrie Whitlock, wife of my son Ira S. Whitlock, the sum of four thousand dollars (\$4,000.00) to be paid to her out of my personal estate.

Fifth: I give and bequeath to my said son Ira S. Whitlock the sum of nine thousand dollars (\$9,000.00) to be paid to him out of my personal estate.

Sixth: All the rest and residue of my personal property I give and bequeath to my said son Ira S. Whitlock and my said daughter Elora May Failing, to be divided equally between them.

Likewise, I make, constitute and appoint my son Ira S. Whitlock to be executor of this, my last Will and Testament, hereby revoking all former Wills by me made.

In Witness Whereof, I have hereunto subscribed my name and affixed my seal, the nineteenth day of March in the year one

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Elizabeth Whitlock (L.S.)

The above instrument, consisting of one sheet, was, at the date thereof, subscribed by Elizabeth Whitlock in the presence of us and each of us: she at the time of making such subscription, acknowledged that she made the same, and declared the said instrument so subscribed by her to be her last Will and Testament. Whereupon we then and there, at her request, and in her presence and the presence of each other, subscribed our names as witnesses thereto.

Alanson C. Haighton	residing at	Johnstown, N.Y.
Adam S. Fairbank	residing at	Fort Plain, N.Y.

Last

# Surrogate's Court—County of Fulton.

IN THE MATTER OF PROVING THE LAST WILL AND TESTAMENT OF

Elizabeth W. Whitlock Deceased.

COUNTY OF FULTON, ss:

Alanson C. Haughton of Johnstown, N.Y. and Adam S. Farling of Fort Plain, N.Y.  
being severally and duly sworn and examined before J. C. Caldwell

Caldwell Surrogate of the County of Fulton, doth each for himself depose and say, that he was well acquainted with Elizabeth W. Whitlock deceased; that he was present as a witness and did see the said Elizabeth W. Whitlock subscribe her name at the end of the instrument in writing, now produced and shown to these deponents bearing date the 19<sup>th</sup> day of March one thousand nine hundred and fifteen purporting to be the last will and testament of the said Elizabeth W. Whitlock deceased; that the said Elizabeth W. Whitlock at the time of making the said subscription, declared the said instrument to be her last will and testament, and requested these deponents to sign their names as witnesses thereto. Thereupon these deponents accordingly signed their names as witnesses at the end of the said instrument. These deponents further say that the said Elizabeth W. Whitlock at the time she so executed the said instrument, was of full age, of sound mind and memory, not under restraint, and, as deponents verily believe, in all respects competent to devise real estate, and that these deponents saw each other sign the said instrument at the end thereof as witnesses, in the presence of said Elizabeth W. Whitlock and at her request.

Sworn before me, this 27<sup>th</sup> day of January 1919.  
Alanson C. Haughton  
Adam S. Farling  
J. C. Caldwell Surrogate.

STATE OF NEW YORK, } ss.  
County of Fulton.

Recorded, the preceding last will and testament of Elizabeth W. Whitlock deceased, as a will valid to pass *real and personal* estate, together with the proofs and examinations taken in the Surrogate's Court of the County of Fulton, relating to said last will and testament; which record is hereby signed and certified by me, pursuant to the provisions of the Statutes of this State in such case made and provided this twenty seventh day of January one thousand nine hundred and nineteen.

J. C. Caldwell  
Surrogate.

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In Witness Whereof, I have hereunto subscribed my name and affixed my seal, the nineteenth day of March in the year one nine hundred and fifteen.

Elizabeth Whitlock (L.S.)