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Wayne Surrogate's Court.

In the matter of Proving the Last Will and Testament
of Benjamin Whitlock
late of the town of Lyons in the county
of Wayne, deceased.

COUNTY OF WAYNE, ss: Daniel J Teller of the town of Lyons

in the county of Wayne, being duly sworn and examined before HON. THADDEUS W. COLLINS,
Surrogate of the said county of Wayne, deposeseth and saith that he was well acquainted with Benjamin Whitlock

in his lifetime, and ^{that on the 27th day of December 1879 Benjamin Whitlock} ~~was present and saw the said~~
Whitlock ^{acknowledged the name Benjamin Whitlock} ~~subscribe~~ at the end of the instrument in writing now produced and shown to

this deponent, bearing date the 27th day of December 1879, purporting to be
the last will and testament of the said Benjamin Whitlock ^{on his signature} ~~deceased~~

That the said Benjamin Whitlock at the time he ^{acknowledged and signed} ~~so subscribed~~ it, declared
the said instrument to be his last will and testament, and requested this deponent and

one James M Bradley to subscribe their
names as witnesses to the execution thereof.

Thereupon, this deponent and said James M Bradley

in obedience to said request, accordingly subscribed their names as
witnesses at the end of said instrument, in presence of said Benjamin Whitlock and of

each other. This deponent further saith, that the said Benjamin Whitlock at the time he so executed

the said will was a citizen of the United States, an inhabitant of the county of Wayne, of full age, of sound disposing mind
and memory, in all respects competent to make a will, and not under any restraint. And that the said will now appears in all respects

as when so executed, without any alteration, obliteration or erasure whatsoever.
Sworn this 28th day of }
March 1885, before me. } D J Teller

J W Collins Surrogate.

COUNTY OF WAYNE, ss: James M Bradley of the town of
Lyons in the county of Wayne, being duly sworn and examined before HON. THADDEUS W.

COLLINS, Surrogate of the said county of Wayne, deposeseth and saith, that he was well acquainted with Benjamin
Whitlock in his lifetime, and ^{that on the 27th day of December 1879} ~~was present and saw the said~~

Benjamin Whitlock ^{acknowledged the name Benjamin Whitlock} ~~subscribe~~ at the end of the instrument in writing now produced and shown to this
deponent, bearing date the 27th day of December 1879, purporting to be the last

will and testament of the said Benjamin Whitlock ^{on his signature} ~~deceased~~ That the said
Benjamin Whitlock at the time he ^{acknowledged} ~~so subscribed~~ it, declared

the said instrument to be his last will and testament, and requested this deponent and
one Daniel J Teller

to subscribe their names as witnesses to the execution thereof.

Thereupon, this deponent and said Daniel J Teller

in obedience to said request, accordingly subscribed their names as witnesses at the end of said instrument, in presence of the said
Benjamin Whitlock and of each other. This deponent further saith, that the said Benjamin Whitlock

at the time he so executed the said will was a citizen of the United
States, an inhabitant of the county of Wayne, of full age, of sound disposing mind and memory, in all respects competent to make

a will, and not under any restraint. And that the said will now appears in all respects as when so executed, without any alteration,
obliteration or erasure whatsoever.

Sworn this 28th day of }
March 1885, before me. } J M Bradley

J W Collins Surrogate.

In the Name of God Amen I Benjamin Whitlock being nearly sixty three years of age and in sound mind and living in the town of Lyons State of New York do make and publish this my last Will and Testament and divide my property as follows:

I give and bequeath to my son Henry J Whitlock all my land lying on the east side of the road where he now lives and also the lot on the south side of the west road bought off the Teller farm deeded to me by Philip Rocking and wife about 15 acres or nearly that making in all about seventy five acres. to have the use and profits of the same during his natural lifetime and then to belong to his children if he leaves any if he should not leave any child or children to grow up to the age of 21 years this would then fall to his brothers and sisters if any should be living by paying the sum of three thousand Dollars to my executor or to whom I may direct hereafter the amount is to be paid to Elletta or Kate as their part which I give to them

I also give to my son Henry J Whitlock the north end of my farm where he now lives from Suttons south line running south south on the road to take in the yard and south of the new brick house then running west to the line of the Wisner lot as the fence now stands thence north on the east line of the Wisner lot to Ford Hartnagh farm and along his farm to Suttons or road thence east on Suttons south line to the road the place of beginning containing about seventy six acres of land to have the use and profits of the same during his natural lifetime by paying to my executor or hereafter named the sum of three thousand Dollars thence to go to one of his sisters as I may direct hereafter and then this part of the farm will go his children if he leaves any and if he die of age if no child or children be living then this sum would be divided between my other heirs

I also give to my son Benjamin L Whitlock the north west corner of my farm where John Frank now lives house and barn and the land they occupy commencing east of the barn where the picket fence now stands and running north with the new board fence to the woods and then west on the south side of the woods as far as wood goes and then north to the line of the Wisner lot as the fence now stands and west to Easterlys land and then south on Easterlys east line to the road and east on the road to the place of beginning and also reserving one half acre of land sold to Silas Easterly some time ago being about 23 acres of land to have the use and profits of the same during his natural lifetime and then to his children if he leaves any that be of age. I also give him our cow and my one horse lumber wagon one horse that my executor or may sell for him and one single harness and one set of chaises and one traxiad and one wash bowl and picher if he shall leave no legal heirs or child to arrive at the age of 21 years then his part will be divided equal among my other heirs.

I also give to my eldest daughter Elletta now Mrs Elletta Sargent the sum of three thousand Dollars to receive the interest on that sum at six percent till my executor or shall pay the principal sum as may be directed hereafter

I also give my daughter Kate now Mrs Kate Torrey the sum of three thousand Dollars to receive the interest of the same at 6 percent till my executor or may pay the principal as I may direct hereafter if she should not be living the same must be kept in trust for her heirs if she leaves any that may be come of age otherwise her part will fall back to her brothers and sisters that may be living

I also give to my wife Jane and my daughter Sarah Whitlock my Homestead when I now live all the remainder of my farm except such as has already been described and each to have share and share alike during the lifetime of my wife Jane after or at the death of my wife Jane Sarahs interest shall be worth to her the sum of Five thousand Dollars and the balance of homestead shall be divided among those named if they are living Elletta Sylvester one thousand Dollars Kate J. Far one thousand Dollars and Len Whitlock one thousand Dollars and the balance will go to Henry Whitlock and Bob Whitlock now with the Homestead shall share along with team and harness and two wagons if they are here on hand and two cows and one Phayson carriage and one single harness plow and drags if any are here smaller tools such as may be left at my death on my part of the farm for their own use in working the farm also they shall have my slip No 41 in Church and the stall in shed that I now own And I do hereby appoint my wife Jane Whitlock and my son Henry S. Whitlock and Sarah Whitlock my Executors in this my last Will to carry out and settle my estate as herebefore described and then settle the estate without any charges and their part for fees. Sett off as follows To - Benjamin L. his part. Sett off to Len his part and sett off to Henry S. his part 2 parts as described and my wife and Sarah will be in possession already - of this part

I also give my wife one thousand Dollars to have the use and profits of while she lives and to make such disposal of it as she thinks best but if she makes none will then to be equally divided among my children that may be living But I also give the things about the house or household goods to be divided among our children as my wife may think best such as spoons and silver ware and clothing and furniture. I leave them all with her and Sarah.

I also empower my executors to sell the Greenckel farm if it should not have been sold before and collect all mortgages and notes if any are found and pay all debts and expenses settle up in full and what funds should be remaining shall be equally divided among my children that may be living at the time. In my condition I leave if my son Benjamin L. Whitlock refuses to take that part of the farm set off to him and take good care of it and keep it up nice my executors may put that part with the homestead and pay him the sum of one hundred and twenty Dollars a year during his lifetime say \$60 every six months say 1st of January and 1st of July in each year. it would be better for him to make a nice home over there and work some other land

In Witness I have hereunto set my hand and seal this 27th day of Dec 1879.

Benjamin Whitlock

The above two sheets is declared to this date to be my last Will and Testaments to me who at his request and in his presence and in the presence of each other have signed our names thereto as attesting witnesses

name	Post	address
Dr. J. L. L. L.	Lyons	Ny
J. M. Bondley	"	"

In the name of God Amen. I Benjamin Whitlock being nearly sixty three years of age and in sound mind and living in the town of Lyons, State of New York do make and publish this my last Will and Testament and divide my property as follows:

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I also give to my son Levi J. Whitlock the north end of my farm when he now lives from Stebbens south him running south south on the road to rake in the yard south of the new brick house then running west to the lane of the Wisner lott as the fence now stands thense north on the last line of the Wisner lott to Ind Hartnagh farm and along his farm to Suttons woods then east on Suttons south line to the road the place of beginning containing about seventy six acres of land to hav the use and profits of the same during his natural lifetime by paying to my executors hereafter named the sum of Three thousand Dollars money to go to one of his sisters as as I may direct herafter and rhm this part of the farm will go his children if he leavs any and rhig Ini this part of the farm will go his children th living then this sum would be divided between my other heirs.

I also give to my son Benjamin C. Whitlock the north mst corner of my farm where John Frank now livs house and barn and the land they occupy commencing east of the barn where the picket fence now stands and running north with the new board fence to the woods and then west on the southside of the woods as far as wood goes and then north to the line of the Wisner lott as its now fenced and west to Easterlys land and then south our Easterly east line to the road and east on the road to the place of beginning only reserving on half acre of land sold to Silas Easterly some time ago being about 23 acres of land to hav the use and profits of the same during his natural lifetime and then to his children if he leavs any that liv to be of age. I also give him our car and my our horse bunchr wagon our horse tha my executors may select for him and our single harness and one sett of chairs and one bedstead and one washbowl and pitcher if he shall leav no legal hairs or child to arriv at age of 21 years then his part will be divided equal among my other heirs.

I also giv to my eldest daughter Elletta now Mrs. Elletta Sylvester the sum of Three thousand Dollars to receive the interest on that sum at six percent till my executors shall pay the principal sum as may be directed her after.

I also give my daughter Kate now Mrs. Kate Forfar the sum of Three thousand Dollars to receive the interest of the same at 6 percent till my executors may pay the principal as I may direct hereafter if she should not be living the sam must be kept in trust for her heirs if she leavs any that may become of age otherwise he part will fall back to her brothers and sisters that may be living.

I also give to my wife Jane and my daughter Sarah Whitlock my Homested where I now liv all the remainder of my farm except such as has already been discribed and each to have share and share alike during the lifetime of my wife Jane after wat the death of my wife Jane Sarahs intrest shall be ...to her the sum of Five thousand Dollars and the balance of homested shall be dived among those named if they are living Elletta Sylvester one thousand Dollars Kate Forfar one thousand Dollars and Levi Whitlock one thousand Dollars and the balance will go to Henry Whitlock and B.C. Whitlock now with the Homested shall shall belong one team and harness and two wagons if they are here on hand and two cows and one Pheyton carriage and one single harness plow and draggs if any are here smaller tools such as may be left at my death

on my part of the farm for their own use in working the farm also they shall hav my slip #41 in Church and they shall in shed what I now own and I do hereby appoint my wife Jane Whitlock and my son Henry S. Whitlock and Sarah Whitlock my executors in this my last Will to carry out and divide my estate as heretofor described and then settle the estate without any charges on their part for fees. Sett of as follows Is -

Benjamin C. his part Sett off to Levi his part and sett off to Henry S. his part 2 parts as discribed and my wife and Sarah will be in possession already - of it.. part

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In Witness I hav hereunto set my hand and seal this 27th day of Dec 1879

Benjamin Whitlock (L.S.)

The above two sheets is declared to this date to be my last Will and Testament to us who at his request and in his presence and in the presence of each other hav signed our names thereto as attesting witnesses

Names	Post	Address
D. Teller	Lyons	NY
J.M. Bradley	"	"