

Ext

I, Charles E. Whitworth, being of sound mind and disposing memory, and being desirous of making a different disposition of my property from that which would be made by law should I die intestate, do make, publish and declare this to be my last will and testament, hereby revoking any and all other wills which I may have heretofore made.

First. It is my will that all my just debts including my funeral expenses be paid first, I also desire a suitable monument erected to my memory, to cost not exceeding the sum of Seventy five dollars.

Second. I will bequeath and devise all the rest, remainder and residue of my property of whatsoever kind or character wherever situated to my beloved wife Hester Whitworth, but only so long as she shall remain my widow, if she shall survive me and remain unmarried, she shall continue to enjoy the use and benefit of all my property as long as she shall live.

Third. In the event that my wife shall survive me and shall again marry after my death, then it is my will that all of my property shall at once descend to my brothers and sisters equally, if any of my brothers or sisters shall be dead at that time and shall leave any issue, the said issue shall only take under this will what would have been the portion of their father or mother had either been alive.

Fourth. In the event that my wife shall survive me and remain unmarried till the time of her death, then after her death, it is my will that all of my property of all kinds shall at once become the absolute property of my brothers and sisters, equally, if any of my brothers or sisters shall be dead at that time and shall leave any issue, the said issue shall only take, under this will, what have been the portion of their father or mother, had either been alive.

Fifth. In the event that my wife shall be dead at the time of my death, then it is my will that all of my property of all kinds, shall at once, upon my death, become the absolute property of my brothers and sisters, equally, if any of my brothers or sisters shall be dead at that time and shall leave any issue, such issue shall only take, under this will, what would have been the portion of their father or mother, had either been alive.

Sixth. I hereby appoint my wife, Hester Whitworth, executrix of this will and I request that she be permitted to qualify as such, without being required to execute bond.

Witness my hand and seal this the 13th day of April, 1909.

Charles E. Whitworth.

Signed, sealed and declared to be the last will and testament of Charles E. Whitworth, by him in our presence; and we have signed the same as witnesses in his presence and in the presence of each other.

Witness our hands this 13th day of April, 1909.

Walter Brown
John P. Haswell, Jr.

Kentucky, Breckinridge County Court.

Regular Term, June 23rd 1909.

The foregoing instrument of writing, purporting to be the last will and testament of Charles E. Whitworth, deceased, was this day produced to Court and being duly proven by the oaths of Walter Brown and John P. Haswell, Jr. the attesting witnesses thereto, was established as and for the last will and testament of said Charles E. Whitworth, deceased, and as such was ordered to record, whereupon the same, and this certificate, have been duly recorded.

Att: W.F. Hook, Clerk, B.C.C.

Ext

The people of the State of New York, By the grace of God free and independent, To all to whom these presents shall come or may concern, Greeting.

KNOW YE, that we having examined the records and files in the office of the Surrogate of the County of Kings, do find there remaining, a certain record of the last Will and Testament of Elizabeth Wilkerson, late of the county of Kings deceased, together with the proofs thereof and decree granting probate, said will was duly executed, proven and allowed agreeably to the laws and usages of the State of New York, in the words and figures following, to wit;

In the name of God, Amen. I, Elizabeth Wilkerson, of the Borough of Brooklyn, City of New York being of sound and disposing mind and memory, and considering the uncertainty of this life, do make, publish and declare this to be my last Will and Testament, as follows;

First, after my lawful debts are paid, I give, devise and bequeath unto my daughter, Mary Etta Evans, widow of the late Morton Evans, residing in the County of Kings, State of New York, all my real property of whatsoever character, kind and description that I may die seized and possessed of, in the Township of Cloverport, County of Breckinridge, State of Kentucky.

To have and to hold the same unto my said daughter, her heirs, and assigns forever.

In Witness Whereof, I have hereunto subscribed my name and affixed my seal, the 5th, day of March in the year of our Lord, one thousand nine hundred and eight.

Witnesses,
Louis Linn Wilkerson.
John Cannon Wilkerson

ELIZABETH WILKERSON.

Subscribed by Elizabeth Wilkerson, the Testatrix named in the foregoing Will, in the presence of each of us, and at the time of making such Subscription the above Instrument was declared by the said Testatrix to be her last will and testament and each of us at the request of said Testatrix and in her presence and in the presence of each other, sign our names as witnesses thereto, at the end of the will.

Louis Linn Wilkerson
John Cannon Wilkerson

Residing Brooklyn, N.Y.
Residing " "

Kings County Surrogate's Court.
In the matter of the probate of
the last will and testament of
Elizabeth Wilkerson, deceased.

) Deposition of Subscribing Witness.

State of New York, County of Kings, SS.;

John Cannon Wilkerson of the Borough of Brooklyn, New York City being duly sworn and examined before a Surrogate's Court of the County of Kings, deposes and says; I was acquainted with Elizabeth Wilkerson now deceased, That the subscription of the name of said decedent, at the end of the instrument now shown to me, and offered for probate as the last Will and Testament of the said Elizabeth Wilkerson, deceased, and bearing date the 5th, day of March in the year one thousand nine hundred and eight was made by the said decedent at the City of New York in the presence of myself and the other subscribing witness. That at the time of making such subscription the said decedent declared the said instrument so subscribed by her to be her last Will and testament, and I thereupon signed my name as a witness, at the end of said instrument, at the request of said decedent, and in her presence. I also saw Louis Linn Wilkerson the other subscribing witness, sign his name as a witness at the end of said will, and know that he did so at the request and in the presence of said decedent. That the said decedent, at the time of executing the said instrument, was over the age of twenty-one years, of sound mind and memory, and not under any restraint, and competent in every respect to make a will.

Subscribed and sworn to this 7th, day of
April, 1909.

J.C. Wilkerson.

John F. Kidd, Assistant Probate
Clerk designated under Section 2510
Code Civil Procedure.

Kings County Surrogate's Court.

In the matter of the Probate of the
Last Will and Testament of Elizabeth
Wilkerson, Deceased

) Deposition of Subscribing Witness

State of New York, County of Kings, SS.;

Louis Linn Wilkerson of the Borough of Brooklyn, New York City being duly sworn and examined before a Surrogate's Court of the County of Kings, deposes and says; I was acquainted with Elizabeth Wilkerson now deceased. That the subscription of the name of said decedent, at the end of the instrument now shown to me, and offered for probate as the last Will and Testament of the said Elizabeth Wilkerson, deceased, and bearing date the 5th, day of March, in the year one thousand nine hundred and eight was made by the said decedent at the City of New York in the presence of myself and the other subscribing witness. That at the time of making such subscription the said decedent declared the said instrument so subscribed by her to be her last will and testament, and I thereupon signed my name as a witness, at the end of said instrument, at the request of said decedent, and in her presence. I also saw said John Cannon Wilkerson the other subscribing witness, sign his name as a witness at the end of said will, and know that he did so at the request and in the presence of said decedent. That the said decedent, at the time of executing the said instrument, was over the age of twenty-one years, of sound mind and memory, and not under any restraint, and competent in every respect to make a will.

L.L. Wilkerson.

Subscribed and sworn to this 7th,
of April, 1909.

John F. Kidd, Assistant Clerk
designated under Section 2510
Code Civil Procedure.

At a Surrogate's Court held in and for the County of Kings, at the Surrogate's Court Room, in the Hall of Records, in the Borough of Brooklyn, on the 7th day of June in the year one thousand nine hundred and nine.

Present, Hon. Herbert T. Ketcham, Surrogate.

In the matter of the probate of the Last
Will and Testament of Elizabeth Wilkerson,
late of the County of Kings, deceased.

) Decree granting Probate.

Satisfactory proof having been made of the due service of the citation herein upon, or of the due appearance herein by, all persons entitled to notice of this proceeding and the witnesses to said last will and testament having been sworn and examined, their examination reduced to writing and filed, and it appearing by such proofs that the said will was duly executed, and that the Testator, at the time of executing it, was in all respects competent to make a will, and not under restraint; and this Court being satisfied of the genuineness of the will, and the validity of its execution; and the Probate thereof not having been contested IT IS ORDERED, ADJUDGED AND DECREED, that the instrument offered for probate herein be, and the same hereby is, admitted to probate as the last Will, and Testament of the said Elizabeth Wilkerson, deceased, valid to pass Real and personal property, and that the said Will, with the proofs thereof and this Decree be recorded.

HERBERT T. KETCHAM

Surrogate.

All which we have caused by these presents to be exemplified, and the Seal of our said Surrogate's Court to be hereunto affixed.

Witness, Hon. Herbert T. Ketcham, Surrogate of the County of Kings, at the Borough of Brooklyn, the Ninth day of June, 1909

Edward J. Morgan
Clerk of the Surrogate's Court