

## Last Will and Testament of

I, Wiley Batton, of Vigo County, Indiana, do make and publish this my last will and testament.

Item 1: That all just debts I may owe at my death and my funeral expenses are to be paid out of my personal estate; and if any of said personal estate remains after the payment of said debts, funeral expenses <sup>and expenses</sup> of administration the same to be sold by my executor and the proceeds thereof I give and bequeath as follows: to my wife Angeline Batton one third, to my son Daniel Batton, Joseph Batton and John Batton, and my daughter Martha Bushnell each two-fifteenth, and to my grand-children, namely: Albert, James, John and Logan Jasper, children of my deceased daughter Mary Jasper, jointly two-fifteenth, share and share alike.

Item 2: I give and devise to my said wife, Angeline Batton, the forty acres of land now owned by me and on which I reside in Lost Creek township, Vigo County, State of Indiana, being in the northeast quarter of section five, township twelve north, range eight west, for and during her natural life. The life estate hereby devised in two thirds of said real estate being in lieu of, and upon the express condition, that she does not claim the five hundred dollars allowed her by law as widow.

Item 3: I give and devise the fee simple in said forty acres of land as follows: To my son Joseph Batton fifteen acres off of the south side of said forty acres: to my said four grand-children herein before named, share and share alike, the twelve and one-half acres lying immediately north of and adjoining the fifteen acres devised to my son Joseph, the said twelve and one-half acres being a parallelogram and extending the full length east and west of said forty acres: to my daughter Martha Bushnell twelve and one-half acres off of the north side of said forty acres.

Item 4: I give and bequeath to my son John one hundred dollars and to my son Daniel fifty dollars, the same to be paid out of the rents and profits of said forty acres of land first accruing after the termination of my said wife's life estate, the said John to be paid fifty dollars from the part devised to Martha Bushnell and

fifty dollars from the part devised to my said grand-children, and the said Daniel to be paid his fifty dollars from the part devised to my son Joseph.

Item 5: I appoint my son Joseph Batton executor of this will.

In testimony hereof, I have hereunto set my hand and seal, this 13th day of April, 1904.

Witness: James H. Kleiser.

Wiley <sup>his</sup> Batton (Seal)

Signed and acknowledge by said Wiley Batton, as his last will and testament, in our presence; and signed by us in his presence, and in the presence of each other, as witnesses thereto.

<sup>asphy</sup>  
Joseph Holmes

George W. Kleiser.

## Last Will and Testament of

CODICIL.

I, Wiley Batton, of Vigo county, Indiana, having on the 12 day of April, 1904, made my last will and testament, do now make and publish this my codicial thereto, that is to say:-

That I change Item 3 of said will in this :-I give and devise to my son Joseph Batton in fee simple eighteen (18) acres off the the south side of the forty (40) acres of land owned by me in Lost Creek township, Vigo County, State of Indiana, it being all of the land owned by me, subject to the life estate therein devised to my wife in the 2nd Item of said will; and I give and devise the fee simple in the twenty two acres off of the north side of said forty acres to my daughter Martha Bushnell and to my four grand-children named in Item 1 of said Will, my daughter to have one half thereof and the said four grand-children the other half thereof, the said grand-children to hold the same in equal shares, the devise of said twenty two acres is subject to life estate therein devised to my wife in Item 2 of said will.

In testimony whereof I give hereunto set my hand and seal this day of \_\_\_\_\_, 1907.

Wiley <sup>his</sup> Batton (Seal)

Signed and sealed by the said Wiley Batton, as a codicial to his last will testament, in our presence; and signed by us as witness there to in his presence; and in the presence of each other.

<sup>asphy</sup>  
Joseph Holmes.

Ezra B. Norton.

STATE OF INDIANA, }  
VIGO COUNTY, } SS:

James H. Kleiser personally appeared before the Judge of the Vigo Circuit Court, and being duly sworn says that George W. Kleiser whose name is signed to the above writing as an attesting witness died November 3rd, 1908, and that Jasper Holmes whose name is signed to said writing as an attesting witness is absent from the state of Indiana, and as affiant is informed will not return to this State before the month of April 1909, that affiant is a brother of the said George W. Kleiser, deceased, and was his partner in the practice of law for thirty years, and was acquainted with his handwriting, and knows that his signature as attesting witness to above writing is his, the said George W. Kleisers signature:

Affiant further says that the name of Wiley signed to the above writing as testator was written there by affiant at the request of said Batton, and he affiant, knows that it is the signature of said Batton.

James H. Kleiser.

Subscribed and sworn to before me this 8 day of Feb. 1909. John F. Joyce, Clerk.

PROOF OF WILL-

STATE OF INDIANA, VIGO COUNTY:  
EZRA B. NORTON

Personally appeared before the Judge of the Vigo Circuit Court, and being duly sworn