

This is the last Will and Testament of me Titus Wharton of Muker in the Parish of Grinton and County of York. In the first place I order and direct my executors hereafter named to pay off and discharge all my just Debts, funeral and Testamentary expences as soon as may be conveniently done after my decease.

I give and devise to **my son George Wharton** All my Copyhold Land with the house in which I dwell and Garden as adjoining thereto with all appurtenances belonging to the said house all situated at and near to Muker aforesaid to be enjoyed by him my said son George Wharton during the period of his natural life.

I likewise give and bequeath to my said **son George Wharton** All my household furniture to be enjoyed by him during the period of his natural life And at the decease of my said son George Wharton I give and devise all my aforesaid Copyhold Land with the house in which I now dwell and garden adjoining thereto with all appurtenances belonging to the said house all situated as above specified and my household furniture to my five Grandchildren **Titus Wharton, John Wharton, Robert Wharton, Isabella wife of Robert Johnson and Hannah wife of John Gooder** and their heirs share and share alike and should any of the said five Grandchildren die previous to the decease of my said son George Wharton then in this case the issue of such shall have the fathers or the mothers share as the case may be.

But should any of the said five Grandchildren before named die without issue previous to the decease of my said son George Wharton then his or her share of the case may be shall be equally divided amongst the survivors of the said five Grandchildren share and share alike.

I give and bequeath to my **Grandson Titus Wharton** the house in which he now resides with the small garden adjoining the same and all appurtenances belonging to the said house situated at Muker aforesaid.

I likewise give and bequeath to my said **Grandson Titus Wharton** my guns. I give and bequeath to my **Grandaughter Isabella wife of Robert Johnson** the house in which she now lives with all appurtenances thereto belonging situated at Muker aforesaid.

I give and bequeath to **my Grandson George Wharton** the sum of twenty pounds. I give and bequeath to my **Grandson Joseph Wharton** the sum of twenty pound And should there be any money remaining after all Debts and Funeral and Testamentary expences are paid and the two Legacies of twenty pounds each paid to my two **Grandchildren George and Joseph Wharton** before named then I will and bequeath the [ ] money to my three **Grandchildren John Wharton Robert Wharton & Hannah the wife of John Gooder** share and share alike.

I constitute and appoint my said **son George Wharton** and my said **Grandson Titus Wharton and Robert Johnson** executors of this my last Will and Testament ratifying and confirming this and no other to be my last Will and Testament. In Witness whereof I have hereunto set my hand and seal this eighth day of May in the year of our Lord one thousand eight hundred and fifty eight.

Titus Wharton

Signed and sealed by the said Titus Wharton the Testator in the joint presence of us who in his presence and in the presence of each other all present at one and the same time have hereunto subscribed our names as witnesses

Richard Lowther

William Rudd

Proved at York 8th January 1859 by George Wharton Titus Wharton and Robert Johnson the Executors thereto named.

Effects sworn under £200

Testator died 15th December 1858

*Copied from <http://www.dalesgenealogy.com/census/wills/tituswharton.html>*