

174. And take possession of the premises, rents profits, or crops of any kind, being, standing, or growing, thereon, and also take and withhold any rents, and withhold the same from said and his wife at any time, if they shall deem it necessary or expedient so to do to effect the purposes of this will.

In the next place I give and bequeath to Silas Aldrich all my Real estate, situate in the village of Mendon, being that which I purchased of Mrs. M. M. Hayward and C. C. Hastings and that which I now own or may hereafter acquire of the Real Estate which belonged to Jabez Aldrich at the time of his decease, with all the buildings thereon, and also my two lots known as the upper and lower Press Lots, with all the buildings thereon.

To have and to hold to the said Silas Aldrich his heirs and assigns forever, upon the following terms and conditions that is to say That the said Silas Aldrich, his heirs Executors, or Administrators, shall well and truly, pay or cause to be paid to my beloved wife Adelia Davenport, without fraud or delay, the annual sum of two hundred and fifty dollars, in equal semi-annual payments, for and during the term of her natural life - and shall keep all the buildings in good repair, and keep them insured at all times, as they now are, and also upon condition, that in case of loss by fire, of said buildings, or any part thereof, the amount of money received on the insurance, shall either be expended in rebuilding or be invested in such a way and manner as shall be satisfactory to my said wife or her attorney, to secure to her the payment of the said annuity during her life; My intention is, that in the event of rebuilding or investment of insurance money, the buildings or money invested, shall be and belong to the said Silas as fully as if no loss had happened, at the decease of my wife. - And it is my intention that, my said wife shall have a lien and a claim as hereby created to my said wife upon said property, above devised, to secure to her the payment of said annuity.

I also give to my beloved wife Adelia the right of taking from my fourteen acre wood lot near the said Pennsdale Pond, twelve cords of wood annually during her life, and at her decease I give the said wood lot to my brothers William H. Aldrich and Silas Aldrich, to have and to hold to them their heirs and assigns forever. At the decease of my brother Charles and his wife, I give all the property placed in trust for their benefit, to Charles H. Smith and Moses Smith sons of my Cousin Charles A. Smith of Mendon to hold to them their heirs and assigns forever.

I also order and direct that all claims and demands which

I have or shall have, at my decease, against my brother Charles, 175. shall be fully discharged, and in case the said Charles or his representatives claim any demands against my Estate, the claims which I now hold, or may have at the time of my decease, may be filed in set-off against said demands, or the amount of such claim so made may be taken from the rents and profits of the property, which I have placed in trust for the benefit of the said Charles and his wife.

And all the rest and remainder of my Estate, not herein otherwise devised, I give and bequeath to my wife Adelia and my brother Charles A. Davenport to have and to hold to them their heirs and assigns forever.

Lastly, I do appoint Welcome Staples and Maccajah C. Gaskell both of said Mendon joint Executors of this my last will and Testament.

In testimony whereof, I have hereunto set my hand and seal this twenty fifth day of July in the year eighteen hundred and forty nine.

David Davenport (S.S.)
Signed, sealed and published by the said David Davenport declaring this to be his last will and Testament in presence of us who at his request were called as witnesses to the same and in his presence did thereto subscribe our names.

William F. Metcalf

Calvin Barber Jr.

Wm. G. Comstock

I David Davenport of Mendon Co. of Worcester and Commonwealth of Massachusetts, now lying sick of body in the City of Boston in said Commonwealth, being of sound and disposing mind and memory, do make, ordain and publish this Codicil to my last will and Testament, written on the three preceding pages.

I hereby make null and void the bequest of twenty two hundred dollars, heretofore, in the will before written, made to Nathaniel George as trustee for the benefit of my brother Moses Davenport.

I hereby make null and void the bequest heretofore made to Silas Aldrich, "of all my real estate situated in the Village of Mendon."

I give and devise to Betsey Aldrich, widow of the late Paris W. Aldrich, the house and land now occupied by Orson R. Wheelock, together with the right of way on the northern and westerly sides of said land, for ingress and egress, from the County Road, as far northward, as the line of the land