

July 16, 1900

Wherein it may concern
this is to certify that I hereby decline to give
and receive some of the executors of my father
will, the late M. W. Strickland of Salem Va.
M. W. Strickland

a copy. Test: Thos. L. Preston D.C.

I hereby decline to serve as executor
of my father's will, the late M. W. Strickland
of Salem Va. this Aug. 24, 1900.
J. H. Strickland

a copy. Test: Thos. L. Preston D.C.

this day produced in Court, and the said will and the
codicils thereto annexed, above mentioned, were proved
according to law, by the oaths of W. D. Critz, Frank H. Chelmer
and J. H. Duncan, three credible witnesses, who, having
been duly sworn, depose that they are well acquainted
with the testators hand writing, and that they verify
believe that said will & codicils, and every part thereof
are in the hand writing of the said M. W. Strickland
whose name is subscribed thereto, and that the same
were wholly written by him & by his own hand, and
that they, the said witnesses are not interested in said
will or codicil thereto; and it appearing further
from the oath of J. H. Strickland, that said will & the codicils
thereto were found among the valuable papers & effects
of decedent, Thereupon, the said will & annexed codicils
are ordered to be recorded as the true last will and
testament of the said M. W. Strickland decedent.

And it appearing to the Court from their resignations
in writing, filed with said will & codicils, which are
ordered to be recorded therewith that M. C. Strickland, and J. H.
Strickland, two of the Executors named therein, have
declined to qualify as such Executors. On motion of
E. J. Strickland, the third Executor named in said will, &
who made oath thereto, entered into and acknowledged
a bond in the penalty of six thousand dollars (\$6000.00)
giving as surety upon such bond, J. H. Strickland, who,
after qualifying as to his sufficiency, duly executed and
acknowledged the same, conditioned as the law directs.
Certificate is granted him for obtaining a probate of
said will in due form, & he is permitted to act as
said executor.

A true copy from the records.

Test: Thos. L. Preston D.C.

• Roanoke County Court,

Georgia, Fulton Co.

Jennie O. Powell.

In the name of God, Amen,

I, Jennie O. Powell, of the County of Fulton, and state of
Georgia, being of sound and disposing mind & memory,
and being desirous to settle my worldly affairs while
I have strength so to do, do make and publish this
my last will and testament, hereby revoking all wills
by me at any time heretofore made. And first, I commit
my soul to God who gave it, and my body I desire to
be buried in my lot in the Cemetery at Salem Virginia,
by the side of my husband Jacob C. Miller, and my world-
ly estate, I dispose of as follows:-

First:- I will and bequeath to my sister, Mrs Mary Ruff my farm situated in Bedford County, Virginia, known as the Cobb place; also, the farm which my father gave me, I will her this free from the debts of her husband, or her own, to be hers absolute and in fee simple, with all my ^{rights} and interests therein, with absolute power to control and enjoy all proceeds therefrom in as free a manner as I have done during her life-time, At her death this property is to become the property of her children jointly, and held as such until the youngest one shall become twenty-one years old, should either or both of the girls at that time be unmarried, they, or her, as may be, is to own and control the places having full benefit of all incomes therefrom until she is married, that is, until both girls are married or dead.

After that period the place is to be sold and the proceeds therefrom is to be equally divided between all of my sister Mary's children, share and share alike. This property can not be sold during Mary Rosebrough Ruff's lifetime, only by decree of Court, and the money arising therefrom to be at once re-invested in real estate and deeds made according to my will above.

Second:- I give and bequeath to my youngest sister, Mrs Sophia Ruff, my property in Bedford County, Virginia, known as the Deardorff place, and the one adjoining known as the Jim Ewing place. I will her this property free from the debts of her husband or any of her own, to be hers absolute and in fee simple, with absolute power to control and enjoy all the proceeds therefrom, free from any control from her husband, for her life-time. After her death it shall become the property of her children, to be theirs jointly until the youngest one shall become twenty-one years old; then if either of the girls, or all of them are still unmarried, it shall be theirs, controlled and managed by them, all the proceeds therefrom being theirs until the last one is married, (last one of the girls) the one or ones remaining then single is to have all income from the property as long as they remain unmarried. After all the girls are married the property is then to be sold and the money equally divided amongst all the children, girls and boys, share and share alike.

Third:- I will and bequeath to my beloved niece, Una Temple Sperry, whom I have raised from childhood, free from the debts of any husband which she ^{may} hereafter have, to be hers absolutely, and in fee simple, my property located on Magnolia Street in Atlanta, known to us as the Henderson property; also, all the interests I may own in the Southern Medical and Dental Colleges; and at any time the colleges choose to buy this interest, or she may deem it best to sell this interest to other parties, she is to re-invest the same in other real estate, to hold for

sion and enjoy as I shall hereafter state, I also give and bequeath to her my entire stock in Bousack Machine Co. with all my rights and interests therein, with power to control, sell and collect in as ample and full manner as I myself have; this all for her own individual and special benefit.

My property known as #63 Pryor Street, which I partly inherited from my husband, holding a claim against it given by him for \$7,000.00, money loaned him, with interest thereon since May, 1894, and which he and I considered our property jointly, - Una is to hold this property as hers, getting the rents therefrom, paying all insurance on it, taxes and any other expenses, until it has become sufficiently valuable to be sold for not less than \$5,000; then it is to be sold by her and she is to pay to each of my sisters, Mrs Sperry and Mrs Sam Ruff and Mrs Sophia Ruff, each of the three sisters \$5,000.00 (five thousand dollars) each, to be theirs as stated in the bequests for the land, except that the money can be paid to each one individually, to be used and managed without the necessity of a trustee, and should they die before it is spent, it is to be divided amongst their children in same way and manner as the land is left them, on the same terms and conditions. It is expressly directed that this money shall not be used in paying for property of any kind already bought or hereafter may be bought by their husbands.

Fourth:- My property known as Roxborough Springs, I desire sold when it can be done for \$25,000.00; not less than that sum for one hundred acres, including the springs and dwellings, orchards and land adjoining to the amount of one hundred acres, all on same side of ^{the} public road the buildings are located on. Of this sum for which the land aforesaid sells, I desire paid to my three sisters, as follows: to Mrs Margaret Sperry, the sum of one thousand dollars (1,000); to Mrs May Ruff and to my sister, Sophia Ruff five thousand each, on the same terms and conditions as that heretofore given, and the balance of the money I give to Una Sperry to be hers.

Fifth:- The balance of the land at Roxborough Springs, with the Parmer Place, the Johnson Place, and all the lands I possess and own in Fulton and De Kalb Counties and in the City of Atlanta not heretofore mentioned, I bequeath to Una Sperry.

Sixth:- I give and bequeath to Cinchua Perkins the property I own in Howmet County, containing fifty acres, more or less, known as the Black Place.

Seventh:- I will and bequeath to my niece Una Sperry, all the balance of my property, both real and personal, consisting partly of the Salem property and the Alleghany County (in Virginia) property, and all other real

estate I may own in Virginia, or may hereafter own, as well as in the State of Georgia, Florida, or elsewhere, and also all my notes, bonds, household and kitchen furniture, farm implements, stock on farms, carriages, harness and horses, including pictures and all other personal property of every character and kind, except my silver, which is to be divided equally between herself and my three sisters as I shall direct her, and also my jewelry and clothing. And my ever loved and Dr Powell's gold watch and one hundred dollars in money, which I will and bequeath to Mr James D. Maxey.

Eighth:- I will and bequeath to James Powell, son of Dr Powell's brother Fayette Powell, of Sparta, Georgia, one thousand dollars, to be paid by my executrix hereinafter named, out of the money arising from the sale of the real estate which she is directed to sell, or otherwise.

Ninth:- I will and bequeath to Una Sperry, after the sale of #63 Pryor Street property, and the sale of Roxborough Springs property, and after the payment of the sums named to my three sisters, all the balance of proceeds of these sales, after the erection of a monument hereinafter provided for, and the sum named to James Powell (as before mentioned) to be hers absolute.

Tenth:- It is my will and desire that ^{if} Una Sperry should die without child or children that the property given to her by this will shall go to and be the property of my three sisters, being equally divided between them, share and share alike. Una has free and full benefit of all I have willed to her, she can use the property, even to the ~~the~~ corpus of the estate for her maintenance, support and pleasure, but should she die without children or child, then the property shall go as I have directed.

Eleventh:- I direct my Executrix as hereafter named to erect a monument out of granite in my lot in Salem, Virginia, at the head of my husband's grave, to cost not less than \$8,000. (three thousand dollars) I desire a handsome and suitable marker of granite at my grave, as well as one to replace the marble slab now at the head of Mr Miller's wife, who is buried by his side, the slab can be laid on her grave.

Twelfth:- I appoint Una Sperry my Executrix, and release her of giving bond and security, of making returns to the ordinary and procuring orders for the sale of property from the Court of Ordinary, giving her full power to sell and dispose of property ~~without~~ order of Court. And I direct that immediately at my death that she accend to the landed legacies named in this will; and I direct that the legatees enter into the possession of the property given by this will without the payment of commis-

simis or other expenses. And I further provide that the letters of Executorships shall not abate by the marriage of Una Sperry; but in case she marries before my death or before she fully administers the estate after my death, that she shall qualify as executrix and act as such, until my will is fully carried out. I further direct that Una Sperry pay for legal advice in the administration of the estate of out the property given to her. I further direct that Una Sperry apply to Thomas W. Latham as her legal counsellor and adviser, unless she marries a lawyer and prefers to be governed by his counsel.

Signed, - Mrs Jennie P. Powell,

Signed, sealed, published and declared by Mrs Jennie P. Powell as her last will and testament in the presence of us, who at her request and in presence of each other have subscribed our names as witnesses hereto.

March 11, 1898.

Signed:

Charles P. Rice

R. E. Riley

Thomas W. Latham

Letters Testamentary,

State of Georgia,
Gulton County,

By W. H. Hulsey Ordinary for said County,

Know all whom it may concern, that on the 6th day of August 1900, the last Will and Testament of Jennie P. Powell deceased, at the time of her death a resident of said County, was legally proven in solemn form, a copy of which is annexed, duly certified, and on the 6th day of August 1900, at a regular Term of the Court of Ordinary, said Will was admitted to record, by order, and Una Sperry named executrix in said Will, allowed to qualify and upon so doing Letters Testamentary ordered to be issued to her as such Executrix.

Now, therefore, the said Una Sperry having taken the oath of office, and complied with all the necessary pre-requisites of law, is legally authorized to discharge all the duties of an Executrix on the Will of said deceased to administer the property of said deceased, which is devised according to the Will and the law;

Given under my hand and official seal, the 6th day of August 1900.

W. H. Hulsey
Ordinary

State of Georgia
Fulton County
Ordinary's Office

mm
S.S.

I, Charles P. Rice, clerk of the Court of Ordinary of said County, do hereby certify that I have compared the foregoing copy of the last Will and Testament of Jennie O. Powell, deceased, and of the Letters Testamentary issued to Ulla Sperry as Executrix of the Will of said Jennie O. Powell, with the original record thereof, now remaining in this office, and the same is a correct transcript therefrom, and of the whole of such original record, and that said Court is a Court of Record.

In Testimony whereof, I have hereunto set my hand and affixed the seal of the Court of Ordinary, this 1st day of September 1900.

Charles P. Rice, C.C.O.



mm
S.S.

State of Georgia
Fulton County
Ordinary's Office

mm
S.S.

I, W. H. Hulsey, Ordinary of said County, and presiding Magistrate of the Court of Ordinary thereof, do hereby certify that the above attestation, subscribed by Charles P. Rice, as Clerk of said Court, is sufficient and in due form of law, and that his signature thereto is genuine.

Witness my hand and official signature, this 1st day of September 1900.

W. H. Hulsey
Ordinary

At a County Court of Roanoke County, begun and held in and for the County aforesaid, on Monday the 19th day of November 1900.

This day J. T. Sperry, for Ulla Sperry, Executrix of the last Will and Testament of Mrs Jennie O. Powell deceased, late of Fulton County, State of Georgia, presented a copy of a paper purporting to be the last Will and Testament of said Mrs Jennie O. Powell, deceased, and also a copy of the record of the Court of Ordinary of said County, in said State, admitting to probate the said paper, as the last Will and Testament of the said Mrs Jennie O. Powell, deceased, duly attested by Charles P. Rice, clerk of said Court of Ordinary, under the seal of said Court, and certified to by W. H. Hulsey, presiding Magistrate of the Court of Ordinary of said Fulton County, Ga., attested in due form; and it appearing to this Court from the inspection of said copy of said Will, and said record, that the said Will

Aulton, in the state of Georgia, to have been so executed as to be a valid will of lands in this state by the law thereof:

On motion of the said J. D. Sperry, for the said Una Sperry Executrix, it is ordered that the said paper writing be admitted to probate as the last will and testament of the said Mrs Jennie O. Powell, deceased.

A true copy from the record of Roanoke County Court,

Jester, Thos J. Preston D.C.
Roanoke County Ct

March 17, 1900.

Letitia G. Somel

I, Letitia G. Somel, being of sound mind make this my last Will and Testament. - I give to my dear Husband, Francis Somel, all the property of which I die possessed, for his life - with the exception of my portion of the Brushy Mountain Tract - which I give in fee simple to my nephew, J. Allen Watts. -

I desire my Husband shall sell and reinvest, and use all interest as he sees best - that is he is to sell the land known as the Barrens, all or any portion of it if he so desires. - At his death I desire that if not sold - all or any portion of it shall be sold according to the views of my Executors and the following legacies paid. - To my niece Letitia Lanson Skelcombe \$1000 - to my niece Alice Watts Skelcombe \$500, to my niece Elizabeth Belling \$500 - to my nephew William Watts \$2000, to my nephew Hugh Watts \$1000 - to my niece Jennie Watts \$500 - The remainder of my Estate to go to my sister, Alice W. Robertson, and at her death to her three daughters - Emma W. DuBose - Alice W. Haverle, and Letitia Somel Whaley; - and to those of her daughters who die without issue. - the principles of their proportion as also her mothers portion, shall go to my great niece Alice DuBose.

I also leave to my niece Letitia Somel Whaley - the policy on my Husbands life. - this in fee simple. - I desire my nephew George Morris to hold the proportion of my estate which will go to my two nieces Emma DuBose and

(Continuation of my Will).

Letitia Somel Whaley - and to pay them the interest thereon. -

I appoint my husband my Executor - without being called upon to give security - But in case of his declining to serve, I appoint my two nephews - J. Allen Watts and Edward W. Robertson, neither to be asked to give security. Declaring this to be my last Will - I sign my name without witnesses

Letitia Haverle Somel

Co. s. s. -

September 1st 1900 -

Witness to the above and a true copy of the same