

\$400.00 when they, the heirs of the said Edw Shovatter shall share in any such execⁿ.

The said Edward Shovatter to execute and deliver deeds to the purchasers of the tracts of land bequeathed to him in said will.

Witness the following signatures and seals

Witness <u>G. W. Lewis</u>	<u>John G. Martin</u>	<u>Seal</u>
Witness <u>Geo. Painter</u>	<u>Lutelia Martin</u>	<u>Seal</u>
Witness <u>Edward Shovatter</u>	<u>Elizabeth Anderson</u>	<u>Seal</u>
Witness <u>Robert S. Shovatter</u>	<u>C. A. Anderson</u>	<u>Seal</u>
Witness <u>Joel Shovatter</u>	<u>Jacob Shovatter</u>	<u>Seal</u>
<u>Amanda E. Shovatter</u>	<u>Amanda E. Shovatter</u>	<u>Seal</u>
Witness <u>Berj Butler</u>	<u>Edward Shovatter</u>	<u>Seal</u>
Witness <u>Mary Butler</u>	<u>Robert S. Shovatter</u>	<u>Seal</u>
Witness <u>E. J. Kinsie</u>	<u>Samuel H. Hray</u>	<u>Seal</u>
Witness <u>Emma Kingie</u>	<u>Mattie Hray</u>	<u>Seal</u>
Witness <u>O. O. Allen</u>	<u>Henry Shovatter</u>	<u>Seal</u>
Witness <u>R. H. Runk</u>	<u>Anida Shovatter</u>	<u>Seal</u>
	<u>David Runk</u>	<u>Seal</u>
	<u>Catharine Runk</u>	<u>Seal</u>

David L. Martin (Witness)

Ulysses B. Martin (Witness)

At Roanoke County Court May Term 1895.

The last Will and Testament of Samuel Shovatter, deceased, was this day produced in Court and proved according to law, by the oaths of W. G. Kinsie and O. R. Runk, the subscribing witnesses thereto, and is thereupon ordered to be recorded.

Memorandum. It is ordered that the paper marked "Agreement," being an agreement signed by all the adult heirs, be recorded in the "Will Book" immediately following record of will.

A copy from the records of Court.

Teste:

H. Griffin, Clerk.

J. J. Simmons Know all men by these present that I, the undersigned, J. J. Simmons of Salem, Roanoke County in the State of Virginia, being of sound mind and disposing memory, through feater in body, do make and ordain this my last will and testament.

First Item. I commend my soul to its maker in hopes in his own time of the promised resurrection.

Second Item. I give and devise and bequeath unto my beloved wife, Susan C. Simmons, the following real and personal property to possess and enjoy during her natural life, to wit:

The dwelling house and lot at present occupied by myself

and family, being the same parcel of land containing five acres more or less, which I once sold and conveyed to D. H. Armstrong; and all of my household and kitchen furniture; and one bay mare Fanny, one buggy and harness; also all of my stock in the Farmers National Bank of Salem, Virginia, also all of my stock in the Bank of Salem, Salem Virginia, also all of my stock in the Bonsack Cigarette Machine Company also all of my stock in the Corvus Cigarette Machine Company, and one jersey cow, Lucy.

Third Item. And whereas I have already advanced my children as follows, to wit: Emily Starkey, my oldest daughter, and to her husband, Amos Starkey the farm on Catawba in said County purchased by me from Giles Barnetts estate, and the farming utensils, crops growing and the stock on the said farm, which I valued at \$8000.00 - And to my daughter Eliza, wife of Doctor Jos. A. Gale, a farm on Franklin Road in this County valued at \$400.00, and Aug. 12th 1884 the sum of \$1000.00, and Nov. 26, 1884 the sum of \$1000.00, and Dec. 1889 the sum of \$4000.00, and at another time \$1000.00 and \$100.00, making in all \$7500. (the \$100 last mentioned was May 29th. 1888.)

And to my daughter Lizzie now the wife of M. G. McCling, Apr 7th, 1888 the sum of \$500.00 May 4th 1888 the sum of \$500.00 May 23rd 1888 the sum of \$1200.00 Dec 10th 1889 the sum of \$5000.00 making in all \$7200.00.

Therefore I hereby give and bequeath and devise all of the property hereinbefore given, bequeathed and devised unto my beloved wife, after her decease, and all of my other property real and personal, as follows, to wit: Unto the four (4) children of my daughter Emily Starkey, one full ^{undivided} third part of my said property, and to Eliza wife of Dr Joseph A. Gale, one undivided third part of my said property, and to my daughter Lizzie McCling during her life time one undivided third part of my said property, which third part shall at the decease of said Lizzie go to her daughter Frances H. S. Hooper absolutely and in fee.

And to my Grand son, Sparrel S. Gale, my Gold Watch and chain. I give and bequeath hereby.

Fourth Item. Of course I direct that all my just debts be paid and my funeral expenses defrayed before the payment of the legacies.

Fifth Item. I hereby appoint my sons-in-law Dr Joseph A. Gale and Marshall G. McCling the executors of this my last will and testament, and authorize them to rent or sell any of my real estate not hitherto specifically devised as they ^{may} see proper and to make distribution of the proceeds according to the terms of this will.

Witness my hand and seal this 28th day of June 1895.
S. F. Simmons *Dead*

This instrument was signed
acknowledged and published as his Will by the testator S. F.

Simmons in our presence and in the presence of each of us, both being present not only as to him but as to each other at the same time.

G. W. Hausbrough

R. A. Fox.

Codicil

Know all men by these presents that I, the undersigned Sparrel S. Simmons of Salem, Roanoke County, Virginia, do make and ordain this as Codicil to my last will and Testament which I made and ordained and published on June 28th 1895, and which I hereby confirm in all respects except as follows, to wit:

I will and bequeath all of the bank stock and all of the Cigarette Machine Company stock which by the said last will I bequeathed and gave unto my beloved wife, Susan L. Simmons, unto the Farmers National Bank of Salem, Salem, Virginia, as Trustees, to hold said Bank Stock and said cigarette stock and to collect the dividends that may be payable thereon from time to time, in trust for my said wife, and to pay the said dividends when collected, over to my said wife during her natural lifetime, and at her decease to turn over said stock of all kinds to my executors, or to whomsoever shall then be then personal representative of my estate, to be disposed of according to the provisions of my said will.

And I do further give and bequeath unto my beloved wife the horse and buggy mentioned in the Item First of my said will, unto her with the privilege and power at any time she may please to give it absolutely as her own property unto my grand son, Sparrel S. Gale. Witness my hand and seal this 1st day of July 1895.

S. S. Simmons

Signed

The above instrument was signed and acknowledged by the Testator, Sparrel S. Simmons in our presence and in the presence of each of us, both of us being present at the same time as to the testator and as to each other, - this 1st day of July 1895.

G. Armond Miller

G. W. Hausbrough

At Roanoke County Court July Term 1895.

The last Will and Testament of S. S. Simmons deceased, was this day produced in Court and proved according to law by the oath of G. W. Hausbrough and R. A. Fox, the subscribing witnesses thereto, and the Codicil thereto was also proved by the oaths of G. W. Hausbrough and G. Armond Miller subscribing witnesses thereto, and thereupon the said will and Codicil thereto annexed are ordered to be recorded, as and for the last Will and Testament of the said S. S. Simmons, deceased.

for adding notes, & exp.
see 010.0 "17.5" p. 158
Roanoke County Court

A copy from the records of Court.

Date:

W. Griffin, Clerk.

Jabal Aque

In the name of God Amen I - Jubel E. Aque of Roanoke County and State of Virginia, being Old and Infirm but of sound and perfect memory and mind and considering the certainty of death and the uncertainty of the time thereof do make and appoint this my last will and Testament in the manner and form following ~~to wit~~ First and principally I commit my soul to God in humble hopes of its future happiness and my body to the Earth to be buried in decent Christian burial -

I request that my beloved wife Caroline Aque shall have a full power in all of my real estate so long as she lives to have and hold for her own special benefit so long as she lives - and after the death of my beloved wife Caroline Aque, I give to my ~~two~~ daughters ~~to wit~~ Mary Elizabeth Aque and Fanny Lee Aque, the power lands that shall be allotted to my wife for them the said Mary Elizabeth Aque and Fanny Lee Aque to have and hold forever hereafter clear of claims and do what they please ~~with~~ said power lands - I leave to my beloved wife Caroline Aque, all of my personal property, whatever there may be left after my funeral and burial expenses is paid - for her to have and use so long as she lives I request that after my wife's power is taken of my lands, by competent Commissioners, that the remainder of my lands shall be sold, and I request that that the amount that I owe to my son James M. Aque by bond executed to him by me about the 27th day of October 1893, shall be paid to him or his assigns out of the proceeds of the sale of my lands, and the remainder of the proceeds of the sale of my lands to be divided as follows, ~~to wit~~ if there be a sufficient amount to reach the following legacies, and provided there is not a sufficient amount, each of the following named heirs shall share by percentage of amounts left to them - I give to my son James M. Aque, Five Dollars to be paid out of the proceeds of the sale of my lands I give to Susan C. Lucas Fifty Dollars for her services while she stayed with me to be paid out of the proceeds of my lands. I give the remainder of said proceeds to be equally divided amongst my children hereafter named ~~to wit~~ William J. Aque Ann A. Aque, Charlotte E. Aque Saffron A. Grubb Susan C. Lucas Charles M. Aque Sarah J. Ferguson Mary E. Aque and Fanny Lee Aque. I request that the remainder of my lands after my wife's power is allotted of shall be sold by a Commissioner appointed by Court - I do appoint my beloved wife Caroline Aque sole executor of my personal property without any security. Nullifying all other wills by me made heretofore -