

GEORGIA, COBB COUNTY.

IN THE COURT OF COMMON PLEAS OF COBB COUNTY.

Suit commenced on CASE NO. 194-2000, 4025,  
Served on the John W. Burch on 14th day of August, 1904, being the  
first day of service, and returned 15th day of August, 1904, being the  
second day of service. Being filed and recorded on the 15th day of August, 1904,  
before Lawrence H. Atkin, Jr., Carl D. Atkin, Mrs. E. D. Atkin, Mrs. J. P. Atkin,  
W. H. Atkin, E. H. Atkin, Hugh Atkin, Mrs. E. D. Atkin, Mrs. J. P. Atkin,  
W. H. Atkin, E. H. Atkin, Hugh Atkin, Mrs. E. D. Atkin, Mrs. J. P. Atkin,

and here made Lawrence H. Atkin, Jr., W. H. Atkin, E. H. Atkin,  
J. P. Atkin, L. Atkin, Mrs. J. P. Atkin, at Marietta, Georgia, Mrs.  
E. H. Atkin, Mrs. J. P. Atkin, at Marietta, Georgia, Mrs. E. H. Atkin,  
Carl D. Atkin, Mrs. Carl D. Atkin, at Marietta, Georgia, Mrs. E. H. Atkin at  
Philmont, Marietta, Georgia, Carl D. Atkin, Mrs. Carl D. Atkin,  
Atkins, W. H. Atkin at 2117 Marietta Road, Atlanta, Georgia, W. H. Atkin,  
Atkins, W. H. Atkin at 2117 Marietta Road, Atlanta, Georgia, W. H. Atkin,  
and all other joint power. Lawrence H. Atkin, Jr., W. H. Atkin, E. H. Atkin,  
J. P. Atkin, L. Atkin, Mrs. J. P. Atkin, at Marietta, Georgia, Mrs. E. H. Atkin,

and John W. Burch.

Permit me to add that I have read and sworn that it is necessary to present this, and to the end  
that you may have full knowledge of the facts, I do solemnly declare and say that the said Lawrence H. Atkin, Jr., W. H. Atkin, E. H. Atkin, Mrs. J. P. Atkin,  
Carl D. Atkin, Mrs. Carl D. Atkin, at Marietta, Georgia, Mrs. E. H. Atkin,  
W. H. Atkin, E. H. Atkin, Hugh Atkin, Mrs. E. H. Atkin,

We, the undersigned, who are heirs at law of  
Mrs. Jane Brown Atkin, deceased, formerly Mrs. J. P. Atkin, Mrs. E. H.  
Atkin, Mrs. J. P. Atkin, Carl D. Atkin, E. H. Atkin and Hugh Atkin, hereby acknowledge  
service of a copy of the petition of Carl D. Atkin and Ted Atkin and the order  
of service in the nature of the probate of the will of Mrs. Jane Brown  
Atkin, and we hereby waive copy and all other notice and service.

This 9th day of August, 1904.

L. Atkin (L. Atkin)

Hugh Atkin (H. Atkin)

W. H. Atkin (W. H. Atkin)

Carl D. Atkin (C. D. Atkin)

Ted Atkin (T. Atkin)

be tried to appear at the next term of the Court of Ordinary for and County; to be held on the last Monday  
in October, 1904, to show cause if any exists, why said Will should not be proved in  
Actions for and recovered as the last Will and Testament of said deceased, and that letters testamentary  
be granted in terms of the law.

This 20th day of August, 1904.

John W. Burch

## COBB COURT OF ORDINARY.

AT ATLANTA, AUGUST, 1888.

Now having had presented to the Court by Plaintiff, it is ordered that  
 JAMESON H. ASHLEY, Mrs. E. R. ATLANTA, Mrs. L. P. MARSHALL,  
 Mrs. E. H. MILLER, Mrs. E. H. STIGGINS, Mrs. Mrs. CARL JELLINE, Mr. J.  
 ADAMS, Mr. W. H. ATLANTA, Dr. J. C. ASHLEY, & Mrs. E. H. MILLER,

serve the Cobb County Court of Ordinary in their office in the said County on the first Monday in October, 1888, at  
 nine o'clock in the morning, and thereafter at such hours of every day, when the judge sitting by the services of the  
 Sheriff, CARL JELLINE & CO. AT ALTA, or in the last resort any convenient or  
 safe place, shall be present, and when necessary, for the trial and determination of such訴訟, and it is  
 further ordered that the said JAMESON H. ASHLEY, Mrs. E. R. ATLANTA, Mrs. L. P. MARSHALL, Mrs.  
 CARL JELLINE, Mr. J. C. ADAMS, Dr. J. C. ASHLEY, & Mrs. E. H. MILLER,

be present personally with a copy of the written process and the record at least one hundred days before the next  
 hearing, unless the Clerk, and then the JAMESON H. ASHLEY, Mr.  
 E. R. ATLANTA, Mrs. E. H. ATLANTA, Mr. J. C. ADAMS, Mr. L. P. MARSHALL, Mrs. E. H. MILLER.

made out of the State of Georgia, and not later than the second day  
 he shall and cause to be served the process, then \_\_\_\_\_ day  
 he shall and cause a party by publication in manner of civil proceedings, in the "Cobb County  
 Times", before the date \_\_\_\_\_.

A newspaper published in the City of Atlanta, Cobb County, Georgia, before the \_\_\_\_\_  
 day, in the \_\_\_\_\_ of said Court of Ordinary.

The 8th day of

August

A.D.

## COBB COURT OF ORDINARY.

Defendant:

Date:

Page:

Now having the Plaintiff to the Court, and Defendant,  
 Plaintiff in action, and the party mentioned by Name, and Address,  
 JAMESON H. ASHLEY, Mrs. E. R. ATLANTA, Mrs. L. P. MARSHALL, Mrs. E. H. MILLER,  
 Mrs. CARL JELLINE, Mr. J. C. ADAMS, Dr. J. C. ASHLEY, & Mrs. E. H. MILLER,

and for convenience in record keeping, and transacting the business of the Court, it is ordered,  
 JAMESON H. ASHLEY, Mrs. E. R. ATLANTA, Mrs. L. P. MARSHALL, Mrs. E. H. MILLER,  
 Mrs. CARL JELLINE, Mr. J. C. ADAMS, Dr. J. C. ASHLEY, & Mrs. E. H. MILLER,

to have a book of record wherein the said Plaintiff and Defendant, and the party mentioned by Name, and Address,  
 JAMESON H. ASHLEY, Mrs. E. R. ATLANTA, Mrs. L. P. MARSHALL, Mrs. E. H. MILLER,  
 Mrs. CARL JELLINE, Mr. J. C. ADAMS, Dr. J. C. ASHLEY, & Mrs. E. H. MILLER,

in this proceeding, and the said JAMESON H. ASHLEY, Mrs. E. R. ATLANTA, Mrs. L. P. MARSHALL,  
 Mrs. E. H. MILLER, Mrs. E. H. STIGGINS, Dr. J. C. ASHLEY, &  
 Mr. J. C. ADAMS, Dr. J. C. ASHLEY, & Mrs. E. H. MILLER.

having found no flaw in either cause who was subpoenaed nor by process and service of record  
 or the lawfully and lawfully of the Plaintiff. In a due and regular manner, the said Court, now by  
 power of court, by all the processes known to the law to be used in the most usual and expeditious  
 and convenient, and so directed to record as such, and it is further ordered that witness subpoenaed now and  
 then

CARL JELLINE &amp; CO. AT ALTA.

Signed, sealing the same required by law.

TUESDAY, Aug 18, 1888.

## GEORGIA, COBB COUNTY.

I, Carl Jelline, do, and do solemnly swear

I do solemnly swear

that the writing contains the true Last Will and Testimony of the witness named.

John Stoen Brown, witness, do say, so far as I know or believe, that I will well and  
 truly execute the same in accordance with the laws of this State, so help me God.

Carl Jelline

Sworn to and subscribed before me this  
 day of October A.D.  
 J. P. Johnson Commissioner  
 G. G. Johnson  
 G. G. Johnson  
 G. G. Johnson

State of Georgia,  
County of Cobb.

I, John Brown Akin of said county and State,  
one of the late deceased hereinafter named, being of  
sound and disposing mind and memory, do ordain, publish  
and declare this my last will and testament,  
executed this twenty 2d day, before W. L. Bailey,  
J. R. Bates, Rev., and L. H. Moody, as subscriber  
witnesses.

Item One.

I revoke Item Third of said will and substitute  
the following in lieu thereof. I give and bequeath  
to my grand-daughter Lettie Burwell a minor, my  
sixty-five thousand dollars per year. Said Lettie is a child of  
my daughter Minnie Akin Burwell and I appoint my said  
daughter Minnie Akin Burwell as trustee of said child  
to receive and receipt my executors or either of them  
hereinafter named in the name and behalf of my said  
child for said legacy. My said daughter Minnie Akin  
Burwell is excused from giving bond as said trustee and  
from making any reports to such trustee to any court.

Item Two.

I give and bequeath as a special bequest to my said  
daughter Minnie Burwell all my house and three lots  
in which I now reside together with all household and  
kitchen furniture used in and about my said dwelling.  
Said property to be received by my said daughter subject  
~~to the satisfaction~~ ~~lived in~~ ~~and dwelt in~~ ~~and resided in~~ ~~and dwelt in~~  
of the Clerk of the Superior Court of Cobb County. To  
the extent of the ~~bequest~~ I hereby modify Items  
seven and eight of my said will so that the proper  
or bequeathed herein shall not be included in the  
residue of my estate to be divided and disposed  
under said items seven and eight.

GUARDIAN AD LITEM

Court of Ordinary.

\_\_\_\_\_, appearing in the Clerk as the witness of the signature of

JAMES BROWN AKIN

the person to whom this last Will and Testament is

delivered, and Acknowledged before me,

Notary Public of said County, doth swear, sayeth, etc., that he is, and

acknowledges,

He further dothswear, etc., that he is directed under the Court of \_\_\_\_\_, Superior Court of \_\_\_\_\_

Lawrence R. Aklin, Esq.

The \_\_\_\_\_ day of \_\_\_\_\_ A.D. 1936.

*J. M. Gause*  
Notary Public

GEORGIA,

County.

Having been appointed Guardian ad Litem to represent

LAWRENCE R. AKLIN, Esq., and company media

\_\_\_\_\_, is the witness of the person of the last Will and Testament of

\_\_\_\_\_, JOHN BROWN AKIN, deceased, in and Court, I hereby name  
and appoint, and I agree to represent said \_\_\_\_\_ in all proceeding. I leave all further action or  
action.

This \_\_\_\_\_ day of \_\_\_\_\_ September, 1936  
*John Gause*  
Notary Public

Dear Sirs,

I hereby execute as much of this Testate of my said will as constitutes and appertains the Atlanta Trust Company as executors of my will and in like thereof, I appoint my wife-in-law Gertrude Davis, the testatrix of my husband Will Davis Davis and my son Ted Davis, as executors of my said will. Said two executors shall jointly or especially if either only one qualified have all the authority and powers expressed in said original will and both of them or either if either only one qualified shall be enabled to filing inventories and appraisements of my estate and from giving bond or security as executors and from making returns as such executors to the Court of Ordinary.

This 21 day of February, 1930.

*Jasper P. Pennington*

Signed, sealed, delivered and published by Jasper Pennington as witness to the last will and Testament, in the presence of us the undersigned who subscribe our names thereto in the presence of said testatrix, at her special instance and request, and in the presence of each other.

This 21 day of February, 1930.

*Helen Webster Davis*

*Connie Webster*

*Ruth S. Brugh*

STATE OF GEORGIA,  
COUNTY OF ATLANTA,

To the Court of Ordinary, I, John Wren Davis of the County of Fulton aforesaid, now of late have been made to me before this instrument, copies of which were respectively made and delivered to myself, pedigree and descent rolls of both sides well known, so being having and other titles and parts of a pedigree or descended which I may have written in at my time deceased.

THE TESTATE,

I direct that my just cause be given.

THE WITNESSES,

I certify that my body is buried in a decent and Christianlike manner, and that my widow, Helen Webster, remains faithful to my memory in life. To meet the spirit where my body may now rest the Lord I leave you.

THE WITNESS,

I give and bequeath to my daughter Helen Davis Wren all my pictures-thatched for give.

THE WITNESS,

I give and bequeath to my grand-daughter Elizabeth, a minor, my deceased brother Fred, who I gave and bequeath to my grand-daughter Helen, a minor, my wife Davis, the wife Ruth and sons are the children of my daughter Agnes and widow of the State of California, and I appoint my said daughter Agnes Davis Anderson trustee of her two said children, to manage and conduct my executors hereinbefore named, in the use and behalf

gold watch. By said daughter Agnes Akin Atkinson is excused from giving bond as such trustee and from making any reports or returns as such trustee to any court.

ITEM FIFTH.

I give and bequeath to my grand-daughter Jane Bette, a minor, my solitaire diamond ring. The said Jane is a child of my daughter Nell Akin Bette of Rome Georgia, and I appoint my said daughter Nell Akin Bette as trustee of said child, to receive and receipt my executor hereinafter named, in the name and behalf of her said child for the ring. My said daughter Nell Akin Bette is excused from giving bond as such trustee and from making any reports or returns as such trustee to any court.

ITEM SIXTH.

Subject to the foregoing special bequests, I give and bequeath to my sons Sherod B. Akin and Walter Downing Akin, the sum of Five (\$5.00) Dollars each.

ITEM SEVENTH.

All the rest and residue of the estate of which I may die seized and possessed, both real, personal and mixed, I desire to be divided by my executor into twelve equal parts.

ITEM EIGHTH.

I give and bequeath one of the parts as referred to in Item Seven hereof to my two minor grand children, Indie Jane and Paralee, the children of my afflicted son Lawrence R. Akin, Jr. I appoint my daughter-in-law Louise Gunnells Akin, the mother of said children and wife of said Lawrence R. Akin, Jr., to be trustee of her said children to receipt and receive from my executor hereinafter named, the property devised and bequeathed by this Item of my Will. The said Louise Gunnells Akin is excused from giving bond as such trustee and from making reports

or returns to any court. The said Louise Connell Akin as trustee is authorized at any time to sell or mortgage any of the said trust property, for reinvestment or for support and education of said minor children, either at public or private sale and without obtaining any order of court for authority to act.

ITEM NINTH.

I give and bequeath to my said daughter Minnie Akin Marcell two of the parts of my estate as referred to in Item Seven hereof, to have and to hold the same for her individual use absolutely and unconditionally.

ITEM TENTH.

I give and bequeath to my daughter Billie Akin Blinn two of the parts of my estate, as referred to in Item Seven hereof, to have and to hold the same for her individual use absolutely and unconditionally.

ITEM ELEVENTH.

I give and bequeath to my daughters Agnes Akin Atkinson, Ruth Akin Hightower and Neil Akin Betts, and to my sons Courtland Pharr Akin, Elbert Bowman Akin, Hugh Akin and Ted Akin, each for herself and for himself separately, one of the said parts, as referred to in said Item Seven hereof, each of said children to have her or his said part absolutely for her or for his own use and benefit forever.

ITEM TWELFTH.

I nominate and appoint as executor of this Will, the Atlanta Trust Company, a banking corporation under the laws of the State of Georgia, located in Fulton County Georgia. Said executor shall have and is hereby invested with full power and authority without any order of court, in its discretion to sell and convey either at public or private sale, any portion of my said property except as otherwise provided in Items Three, Four and Five of this Will, for the purpose of distribution, for the payment of debts, or for my administration.

The said executor is also authorized to vote any shares of stock belonging to my estate in any corporation, whenever and wherever it should be deemed by it to be to the interest of my estate to vote such shares of stock. I direct that my said executor be excused from filing inventories and appraisements of my estate and from giving bond or security as executor and from making returns as such executor to the Court of Ordinary.

This 3d day of November 1923.

...Jane Brown Akin (L. S.)

Signed, sealed, declared and published by Jane Brown Akin as her last Will and Testament, in the presence of us the undersigned who subscribe our names thereto in the presence of said testatrix, at her special instance and request, and in the presence of each other.

This 3d day of November 1923.

W.E. Dally...

A.B. Estes Jr. ....

L.C. Bradley....