

LAST WILL AND TESTAMENT OF S. W. WOODRUFF,
STATE OF GEORGIA MARION COUNTY.

I, S. W. Woodruff, of said State and County, being of sound and disposing mind and memory, do make this my last will and testament, hereby revoking all wills heretofore made by me.

Item 1st.

I wish my Executor as soon as possible after my death to pay my debts, if any. If a sale of property shall be necessary I wish him to first to exhaust my personality, excluding household effects, and if this prove insufficient, to sell such part or portion of the realty as will raise the necessary amount, and in every instance forshimeth select for sale that which can be most advantageously used for that purpose. And I authorize him to sell the same at public or private sale as he may see fit.

Item 2nd.

I give to my daughter-in-law, Mrs. Lillian Braswell woodruff, and her present child (a girl) and any child or children that may be born to her in the future by her present husband, my son F. A. Woodruff, my entire estate, both realty and personality, which is to be managed and controlled only and exclusively by my said son. And the rents, issues and profits to be by him used as he may wish, all to the exclusion of my Executor herein after named except as hereinafter provided. And that said property is no event to be liable for the debts or liabilities of said F. A. Woodruff, or any one else, at an time prior to the division herein-after mentioned, but the same is to be held together for and during the natural life of my son, and not to be sold or otherwise disposed of or incumbered in any way or manner, except as is herein expressly allowed my Executor. And that in event of the death of my son, then said property is to be held by his present wife, until the arrival at majority of the youngest one, by my said son born, at which time an equal division between said children is to be had; and if there be only a child the entire estate to vest in him or her. And if they have no child or children at that time, To-wit; Death of my son, or subsequent thereto they should die, then said estate to vest absolutely in D. C. N. Burkhalter and his children, living at that time, provided such event does not leave in life descendants of children of said F. A. Woodruff in which event said estate to be held for their use, the same as for the child or children of said F. A. Woodruff. And in event of her death or remarriage at any time, subsequent to death of my son, said property, is to be taken possession of and managed by my executor in the same manner and with like restrictions, for the use and benefit only of the said child or children, till the arrival of the youngest, at which time an equal division is to be had among them (children). And in event of a continued separation at any time between my said daughter-in-law, and son, then she forfeits all interest in said estate, and same to be and remain the property of her child or children by said son, and same to be held for such, till the time hereinbefore stated, and in no event is any division, sale or disposition as hereinbefore stated, to be had, during the lifetime of my said son, and after his death, when all of his children by his present wife shall have arrived at majority, then an equal division between the children is to be had.

Item 3rd.

The provisions herein contained, is to extend to and include any future wife & child and or children of such wife, of & by my son, in the same way and manner as his present wife or child.

Item 4th.

In the event that a balance of any sum of money, shall remain in the hands of my Executor after any sale authorized herein, he shall pay the same over to my said son.

Item 5th

I do hereby appoint, D. C. N. Burkhalter executor of this my will and excuse him from making or having made inventories or returns. In Testimony whereof I have hereto set my hand, this 22 day of december 1899.

S. W. Woodruff

Signed and published by S. W. Woodruff, as his last will and testament in the presence of the undersigned, who subscribe our names hereto as witnesses at the instance and request of said testator, and in his presence and in the presence of each other, this 22nd. day of december 1899.

T. B. Jossey
Eugene Drane
E. B. Reese

GEORGIA MARION COUNTY:

I, T. B. Jossey, do swear that he as well as Eugene Drane & E. B. Reese saw the within named S. W. Woodruff sign and publish the within attached paper as his last Will and Testament: That he subscribed the same as witness thereto at the special instance and request of the said S. W. Woodruff, and in his presence, as did also Eugene Drane and E. B. Reese, in the presence of the testator and of each other, that the said S. W. Woodruff signed the same freely and voluntarily, and was at the time of such signing, of sound and disposing mind and memory.

Sworn to and subscribed before me this 15th day of Nov. 1905.

John C. Butt, Ordinary

Filed in office Nov. 15 - 1905
Ordinary to Record & Record
John C. Butt, Ordinary