

In the name of God, Amen.

I Gustave M. Blumenthal a resident of the City of Atlanta, County of Fulton & State of Georgia being of sound and disposing mind & memory & mindful of the uncertainty of human existence & if the necessity of disposing of the property accumulated in life, in view of the certainty of death, do hereby make public & declare this to be my Last Will & Testament in manner following, that is to say:

First: After the payment of all my just debts funeral expenses & cost of proving & recording this Will, and filing an inventory of my estate in the proper Courts, I give, devise and bequest to my dear wife Matilda M. Blumenthal as long as she remains my widow and unmarried, all the rest, residue & remainder of my estate real or personal, Separate & Community, to hold use and enjoy, the profit, fruit revenue increase and income, therefrom during her said widowhood. Subject only to the payment by her during her said widowhood of twenty per centum of said profits fruit revenue & income, to Walter Blumenthal in this City County and State, to Siegfried Blumenthal, Paul Blumenthal, Mita Blumenthal and Lent Blumenthal or their heirs now living in the City of Hammonstein, West Prussia, Europe, said payment to be made quarterly, hereby making absolutely in my said wife, Matilda M. Blumenthal during her widowhood after my decease eight per centum of the profits, fruit revenue increase and income of my real & personal estate.

Second: I should my said wife Matilda M. Blumenthal money of her my decease in that event there shall be paid to her four thousand dollars, property owned by her when I married her, and paid for her account, also my life insurance in the New York Mutual already written in her name I further give devise & bequest to my said wife Matilda M. Blumenthal

my residence in Murphy North Carolina, also a brick store in Murphy N.C.

Third -

I give devise and bequest to my said nephew Walter Siegfried, Paul, Mita and Lent Blumenthal or their heirs through my said wife as long as she is my widow the said twenty per centum of the profits, revenues fruit and income of my real and personal estate, to be to them paid quarterly by my said wife Matilda M. Blumenthal.

Fourth -

From and after the marriage of my said wife, or should she stay my widow to her demise, then after her death, I give devise and bequest to my said real and personal estate in which my said wife has the said interest as explained in first and second paragraph and all the balance of my estate to the following named persons or their heirs, that is to say: One fourth of all on land to Siegfried Blumenthal, one fourth to Mita Blumenthal, one fourth to Lent Blumenthal one eighth to Paul Blumenthal. All these live at present in Hammonstein, West Prussia & one eighth to Walter Blumenthal at present in Atlanta Ga., or their lawful heirs in fee absolute at the age of twenty five years.

Fifth -

I further direct that my said wife Matilda M. Blumenthal can will the stored residence in Murphy N.C. or the amount if sold to whom she likes as that shall be hers absolutely.

Sixth -

An inventory as near as possible correct will accompany this my last Will & Testament.

Seventh -

I should my wife not survive me then I further direct that in such an event John Fordt and David Thiel at this time residents of the City of Corpus Christi County of Tennessee and State of Texas be nominated, constituted & appointed. I do hereby nominate constitute and appoint them Executors of this my last Will & Testament.

Eighth -

I hereby nominate, constitute and appoint my said wife Matilda M. Blumenthal should she survive me as sole executrix of my last will and testament and it is my will that any bond or bonds shall not be required of her as such executrix, and that no other action shall be had in the probate or other Courts in

Ninth;

relation to the management, settlement and partition of my estate than the proof registering and record of this my will and the return of filing of an inventory of my estate.

I hereby make all former wills & testaments by me made and executed, and especially revoke and declare null and void & of no effect a codicil made in the Republic of Mexico in the State of Coahuila El City of Saltillo and dated April 28th 1886 which was recorded July 16th 1886 in the Town of Corpus Christi, County of Nueces El State of Texas.

In Witness whereof, I Gustav M. Blumenthal have to this my last will & testament consisting of five pages of writing, the fifth page being fastened to the first four pages by my hand and seal this the tenth day of January, in the year of our Lord One thousand eight hundred & ninety four.

(Signed) Gustav M. Blumenthal

Signed and declared by the said Gustav M. Blumenthal as and for his last will and testament, in the presence of the witnesses signed here below being present at the same time, who at testator's request in his presence and the presence of each other have hereunto subscribed our names.

(Signed) Geo. W. Ferrate

" Jacob Haas

" Jas. A. Anderson.

Fulton Court of Ordinary.

March Term 1896.

It being shown to the Court in the matter of Gustav M. Blumenthal's will, propounded by Matilda M. Blumenthal named as executrix that said Gustav M. Blumenthal died a resident of said County and that due notice of the intention of said propounder to proceed with the proof (in solemn form) at this term of the Court has been personally given to the said Matilda M. Blumenthal that the only heirs of said deceased and the said will having

been fully proven in open Court to be the last will & testament of Gustav M. Blumenthal that as alleged by the propounder in petition by the witnesses thereto: Ordered by the Court that said will be established as Gustav M. Blumenthal's last will & testament and that the same be admitted to record as proven in solemn form, and that said executrix have leave to qualify & upon so doing let Letters Testamentary issue to her.

(Signed) W. L. Calhoun. Ordinary,

State of Georgia } Ordinary's Office
Fulton County } ss.

I Charles F. Rice Clerk of the Court of Ordinary of said County do hereby certify that I have compared the foregoing copy of the last will & testament of Gustav M. Blumenthal, deceased, & of the judgment of the Court admitting said will to record as proven in solemn form with the original record thereof, now remaining in this office and the same is a correct transcript therefrom and of the whole of the 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 the 30th day of April 1898.

(Signed) Charles F. Rice. CCO

(Seal of Court of Ordinary)

State of Georgia Fulton County
Ordinary's Office - ss

I W. H. Hulsey, Ordinary of said County and Presiding Magistrate of the Court of Ordinary, do hereby certify that the above attestation subscribed by Charles F. 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 30th day of April 1898.

(Signed) W. H. Hulsey. Ordinary

State of Georgia } I Marshall M. Anderson
Fulton County } Clerk of the Court of Ordinary of said County and State do hereby certify that W. H. Hulsey was, on the 30th day of April 1898, the Ordinary of said County and presiding Magistrate of the Court of Ordinary thereof, duly commissioned & qualified as witness

my hand and official seal, this morn
16th 1906. (Signed) Muelless M. Anderson
Clerk Court of Ordinary
Fulton County Georgia

Seal of Clerk
of Ordinary

State of Georgia ss
Fulton County In the Superior Court
A paper purporting to be the last Will and
Testament of Gustav M. Blumenthal de-
ceased, is exhibited before me, the undersigned
Clerk of the Superior Court for said County
Mrs. M. M. Blumenthal, its executrix therein
mentioned and the due execution thereof by
the said Gustav M. Blumenthal by the oath
of examination of Geo. H. Parratt, Jacob
Hass and Jas. A. Anderson the subscribing
witnesses thereto, who being duly sworn in due
presence of me, and each for himself depose
that he is a subscribing witness to
the paper-writing now shown him purporting
to be the last Will and Testament of Gustav
M. Blumenthal that the said Gustav M.
Blumenthal in the presence of this deponent
subscribed his name at the end of said
paper-writing which is now shown as
aforesaid, and which bears date of the
tenth day of January 1894.

And the deponent further deposes that the said
Gustav M. Blumenthal the testator aforesaid
did at the time of subscribing his name
as aforesaid declare the said paper-writing
as his last Will and Testament and exhibited to be
his last Will and Testament and this deponent
did thereupon subscribe his name at the
end of said Will as an attesting witness
thereto and at the request & in the presence
of said testator. And this deponent further
deposes that at the same time when the said
testator subscribed his name to the said
last Will as aforesaid and at the time of
the deponent subscribing his name as an
attesting witness thereto, as aforesaid, the
said Gustav M. Blumenthal was of sound
mind and memory of free age to execute

a Will and was not under any restraint, to the
knowledge, information or belief of this deponent;
And further these deponents say not.

(Signed) Jacob A. Hass
" Geo. H. Parratt
" Jas. A. Anderson

Subscribed and subscribed this 7th day of
September 1899 before me (Sig) Ulysses Lewis
Notary Public Fulton County Ga.

State of Georgia ss (U.S. Commission Expires 1903)
Fulton County

I J. H. Tanner, Clerk of the Superior Court for said State
and County, hereby certify that Ulysses Lewis whose
name is signed to the within probate of Will, is a duly
appointed, authorized and acting Notary Public in
said County; that he is duly commissioned as such
Notary Public, that his Commission is dated 17th day of
May 1899, and expires 16th day of May 1903 and that
as such Notary Public he is authorized by law to take
acknowledgments and oaths in said County.

Given under my hand and seal of office this the
7th day of September 1899, (Sig) J. H. Tanner
Clerk of the Superior Court
for Fulton County, Georgia

Seal of Superior Court
Fulton County

North Carolina
Cherokee County In the Superior Court
To the Clerk of the Superior Court of Cherokee County:
your petitioner respectfully sheweth that heretofore
to wit: on the 12th day of September 1899, a paper
writing purporting to be the last Will and Testament
of Gustav M. Blumenthal, deceased was propounded
for probate under the Statute Law of North Carolina
authorizing a properly authenticated transcript
of its record of its probate in another State; but
the executrix therein named did not then qualify
before this Court, nor has she since qualified as such
Executrix; that said Executrix is a non-resident
of the State of North Carolina; that a certified copy
of the paper-writing and of the probate thereof
in the County of Fulton and State of Georgia duly
authenticated under the act of Congress in such
case made and provided is hereto attached; your
petitioner further states that he is advised & believes
that the said Will should be re-probated for that the

my hand and official Seal, this March
16th 1906.
(Signed) Muelless M. Anderson
Clerk Court of Ordinary
Fulton County, Georgia

Seal of Court
of Ordinary

State of Georgia ss
Fulton County In the Superior Court
A paper purporting to be the last Will and
Testament of Gustav M. Blumenthal de-
ceased, is exhibited before me, the undersigned
Clerk of the Superior Court for said County,
Mrs. M. M. Blumenthal, the executrix therein
mentioned and the due execution thereof by
the said Gustav M. Blumenthal by the oath
& examination of Jas. H. Parratt, Jacob
Haas and Jas. A. Anderson the subscribing
witnesses thereto, who being duly sworn in due
presence of me, and each for himself depose
& swear that he is a subscribing witness to
the paper-writing now shown & in purporting
to be the last Will & Testament of Gustav
M. Blumenthal that the said Gustav M.
Blumenthal in the presence of this deponent
subscribed his name at the end of said
paper-writing which is now shown as
aforesaid, and which bears date of the
tenth day of January 1894.

And the deponent further deposes that the said
Gustav M. Blumenthal the testator aforesaid
did at the time of subscribing his name
as aforesaid declare the said paper-writing
as his last Will & Testament and exhibited to be
his last Will & Testament & this deponent
did thereupon subscribe his name at the
end of said Will as an attesting witness
thereto and at the request & in the presence
of said testator. And this deponent further
swears that at the same time when the said
testator subscribed his name to the said
last Will as aforesaid and at the time of
the deponent subscribing his name as an
attesting witness thereto, as aforesaid, the
said Gustav M. Blumenthal was of sound
mind and memory of his up to the execution

a Will and was not under any restraint, to the
knowledge, information or belief of this deponent;
And for the these deponents say not.

(Signed) Jacob A. Haas
" Jas. H. Parratt
" Jas. A. Anderson

Personally known and subscribed this 7th day of
September 1899 before me. (Sig) Ulysses Lewis
Notary Public Fulton County Ga.

State of Georgia ss (U.S. Secretary of State)
Fulton County

I J. H. Tanner, Clerk of the Superior Court for said State
and County, hereby certify that Ulysses Lewis whose
name is signed to the within probate of Will, is a duly
appointed, authorized and acting Notary Public in
said County; that he is duly commissioned as such
Notary Public, that his Commission is dated 17 day of
May 1899, and expires 16th day of May 1903 and that
as such Notary Public he is authorized by law to take
acknowledgments and oaths in said County.

Given under my hand and seal of office this the
7th day of September 1899. (Sig) J. H. Tanner
Clerk of the Superior Court
for Fulton County, Georgia

Seal of Superior Court
Fulton County

North Carolina ss
Charlotte County In the Superior Court
To the Clerk of the Superior Court of Charlotte County:
your petitioner respectfully sheweth that hereupon
to wit: on the 12th day of September 1899, a paper-
writing purporting to be the last Will & Testament
of Gustav M. Blumenthal, deceased was propounded
for probate under the Statute Law of North Carolina
authorizing a properly authenticated transcript
of the record of its probate in another State; but
the Executrix therein named did not then qualify
before this Court, nor has she since qualified as such
Executrix; that said Executrix is a non-resident
of the State of North Carolina; that a certified copy
of said paper-writing and of the probate thereof
in the County of Fulton and State of Georgia duly
authenticated under the act of Congress in such
case made and provided is hereto attached; your
petitioner further states that he is advised & believes
that the said Will should be re-probated for the

former authentication of the said transcript was not in compliance with the said Act of Congress. Your petitioner further states that he is the proper person entitled to administer, with the will annexed upon so much of the estate of Joseph named in the said Will as is situated in the County of Cherokee & State of North Carolina.

Wherefore petitioner prays that the said probate may be recalled; that the said transcript of the said paper-writing with the certificates thereto attached may be re-probated in this Court & that Letters of Administration, cum testamento annexo may be issued to him.

(Signed) J. D. Mallon.

Atty for Petitioner

G. W. Candler being duly sworn says that the facts stated in the above petition are of his own knowledge true, and of the rest of them he believes to be true. (Signed) G. W. Candler.

Subscribed and sworn to before me this the 23rd day of March 1906.

N. Z. Swences, Clerk.

North Carolina

Cherokee County } In the Superior Court.

In the Matter of the Administration } Before N. Z. Swences
of the estate of }
Gustav M. Blumenthal, deceased. }
Dec.

Upon the hearing of this petition, it is ordered and decreed that the probate of a certain certified copy of a paper-writing purporting to be the Last Will & Testament of Gustav M. Blumenthal, deceased with the certificates thereto attached which was made herefor on the 12th day of September 1899 a copy of which said Will is attached to the petition be recalled and that the same be re-probated.

It is further considered and adjudged that the Executor named in said Will being a non-resident of the State of North Carolina & having failed to qualify for more than six months is deemed to have renounced his right to administer on the said estate, or so much thereof as is situated in North Carolina.

And it is further appearing to the Court that

G. W. Candler is a fit and proper person, the Court does hereby order that Letters of Administration cum testamento annexo be issued to him as such administrator of the estate of the said Gustav M. Blumenthal deceased, this the 20th day of March 1906.

N. Z. Swences,

Clerk Superior Court.