

LAST WILL AND TESTAMENT

OF

EDWIN F. ABELL

Copy of  
Will of  
Edwin  
Abell

This is the last will and testament of Edwin F. Abell, of Baltimore County, State of Maryland.

I give, devise and bequeath to my two sons, Arunah S. Abell and Walter W. Abell, and the survivor of them, and his heirs, personal representatives and assigns, all of the property, real and personal, joint or several, in possession or expectancy, legal or equitable, of which I may die seized or possessed, or to which I may be in any way entitled, at the time of my death.

In trust, nevertheless, for the following uses and purposes and for no other uses or purposes whatsoever:

1. To collect the rents, issues, income and profits thereof, and after paying the expenses of administration and managing said property, and a reasonable commission to themselves as trustees, to divide into four parts the net proceeds therefrom and pay the same to the following persons:

One of the said four equal parts is to be paid to my wife, Elizabeth Maxwell Abell, for and during her life in quarter-annually instalments.

One of the said four equal parts is to be paid to my daughter, Mary Abell Morgan, wife of James Dudley Morgan, to her sole and separate use, free from the control of her present husband or of any husband she may hereafter have, for and during the life of my said wife in quarter-~~yearly~~ yearly instalments.

One of the said four equal parts is to be paid to my son, Arunah S. Abell, for and during the life of my said wife, Elizabeth Maxwell Abell, in quarter-yearly instalments.

One of the said four equal parts is to be paid to my son, Walter W. Abell, for and during the life of my said wife, Elizabeth Maxwell Abell, in quarter-yearly instalments.

Should any of my children die during the life of my said wife leaving issue living at the time of his or her death, the part or portion of said income directed to be paid to such child so dying is to be paid to the issue per stirpes of the child of mine so dying.

Should any child of mine die during the life of my said wife leaving no issue living at the time of his or her death, or leaving such issue and it should become extinct during the life of my wife, then the part or proportion of the said income theretofore paid to such child so dying, or to such issue so becoming extinct, is thereafter to be divided, share and share alike, between my said wife and any surviving children or child of mine, and issue then living of any child of mine, then dead, such then living issue to take per stirpes a share equal to that to be paid to my wife or to any child of mine then living

11. On the death of my said wife the said trustees or the survivor or successors of them are to set apart or divide all of the property of every kind then held by them, sub-

11. On the death of my said wife the said trustees or the survivor or successors of them are to set apart or divide all of the property of every kind then held by them, subject to the trust hereby created, except such stock in the A. S. Abell Company of Baltimore City as my said sons, or the survivor of them then living may then hold in trust, into equal parts, and shall convey one of said equal parts to each of my children living at the time of the death of my wife, and one of said parts to the issue per stirpes then living of any child of mine who shall have died leaving issue which shall be living at the time of the death of my said wife, free and discharged of any trust,

But if my said daughter, Mary Abell Morgan, shall be living at the time of the death of my said wife, the part set apart for her is to be held by said trustees and the survivor of them, and his successor, and the rents and profits thereof are to be collected and paid over to her sole and separate use, free from the control of her present husband and of any husband she may hereafter have, during her life; and on her death I devise and bequeath such part or share to her issue living at the time of her death in such parts or proportions as my said daughter may by last will and testament, and in no other way appoint; and in default of such appointment, I devise and bequeath such share to her issue living at the time of her death, per stirpes.

111. On the death of my said wife leaving either of my said sons surviving her, I will and direct that any stock of the A. S. Abell Company of Baltimore City then held by the said trustees or the survivors of them, be held in trust until the death of the survivor of my said sons, trustees as aforesaid, and the income therefrom after paying the expense of administering the trusts, and a reasonable commission is to be paid over to my issue per stirpes, and on the death of such surviving trustee, son of mine, the said stock is to go and pass free of any trust to my issue then living per stirpes.

IV. And I hereby authorize my said trustees or the survivor of them, or the successor in said trust, to sell and convey absolutely or by way of lease or otherwise dispose of said trust property or any part or parts thereof held by them or him at any time, and the proceeds thereof to invest in any other property or estate as they or he may deem expedient and proper; and with full power likewise to the said trustees, or survivor or successor to change such reinvestment or new investments from time to time to make; and such reinvestments or new investments are to be held subject to the same trusts hereunder as applied to the property sold or disposed of.

V. I constitute and appoint my said sons Arunah S. Abell and Walter W. Abell and the survivor of them executors of this my last will and testament; and I will and direct that my said sons and the survivor of them shall not be required to give bond either as executors or executor, trustees or trustee under this will.

I hereby revoke all other wills or codicils by me heretofore made.

In Testimony Whereof I have hereunto subscribed my name and affixed my seal this twenty-third day of March, Nineteen hundred and one.

Edwin F. Abell (SEAL)

Baltimore County, SS.

On the 8<sup>th</sup> day of March, 1904, came Charles M<sup>H</sup>. Howard, and made oath that he does not know of any Will or Codicil of Edwin F. Abell late of said county, deceased, other than the above Instrument of Writing, and that he received the same from Richard M. Venable, on or about the 8<sup>th</sup> day of March, 1904.

Sworn to in open Court, Died Feb. 28<sup>th</sup>, 1904.

Harrison Rider,  
Register of Wills for  
Baltimore County.

Baltimore County, SS.

On the 9<sup>th</sup> day of March, 1904, came Richard M. Venable and made oath that he does not know of any Will or Codicil of Edwin F. Abell late of said county, deceased, other than the above Instrument of Writing, and that he received the same from Mr. W. W. Abell on or about M<sup>ch</sup>. 2<sup>nd</sup>, 1904, and gave it to Chas. M<sup>H</sup>. Howard, on or about the 8<sup>th</sup> day of March, 1904.  
Sworn to in open Court.

Harrison Rider, Register of Wills for  
Baltimore County.

Baltimore County, SS.

On the 9<sup>th</sup> day of March, 1904, came Walter W. Abell and made oath that he does not know of any Will or Codicil of Edwin F. Abell, late of said county, deceased, other than the above Instrument of Writing, and that he received the same from among papers of deceased, and gave it to Richard M. Venable, on or about the 2<sup>nd</sup> day of March, 1904.

Sworn to in open Court.

Harrison Rider, Register of Wills for  
Baltimore County.

Baltimore County, SS.

On the 8<sup>th</sup> day of March, 1904, came Chas. M<sup>H</sup>. Howard and James F. Gillespie and on the 9<sup>th</sup> day of March, 1904, came Richard M. Venable, subscribing witnesses to the foregoing Last Will and Testament of Edwin F. Abell, late of said County, deceased, and made oath that they did see the Testator sign and seal this Will, that they heard him publish, pronounce and declare the same to be his last Will and Testament; that at the time of his so doing he was in the best of their apprehension of sound and disposing mind, memory and understanding, and that they subscribed their names as Witnesses to this Will in his presence at his request, and in the presence of each other.

Sworn to in open Court.

Test: Harrison Rider, Register of Wills  
for Baltimore County

In the Orphans' Court of Baltimore County:

Will and Testament of Edwin F. Abell; late of said County, deceased, and made oath that they did see the Testator sign and seal this Will, that they heard him publish, pronounce and declare the same to be his last Will and Testament; that at the time of his so doing he was in the best of their apprehension of sound and disposing mind, memory and understanding, and that they subscribed their names as Witnesses to this Will in his presence at his request, and in the presence of each other.

Sown to in open Court.

Test: Harrison Rider, Register of Wills  
for Baltimore County

In the Orphans' Court of Baltimore County:

The Court after having carefully examined the above last Will and Testament of Edwin F. Abell, late of Baltimore County, and also the evidence adduced as to its validity, Orders and Decrees, this 9<sup>th</sup> day of March, 1904 that the same be admitted in this Court as the true and genuine last Will and Testament of the said Edwin F. Abell, deceased.

Melcher Hoshall

Wm. E. Zimmerman

Wm. Byerly

In testimony that the foregoing is a true copy taken from "Wills" Taber N. R. No. 13, folio 131, one of the books in the office of the Register of Wills for Baltimore County.

I hereunto subscribe my name and affix the seal of my office this 14th day of June,  
A. D. 1909.

(SEAL)

Test: Wm. J. Peach, Register of Wills for  
Baltimore County.

VIRGINIA:

In the Clerk's Office of the Circuit Court of Nanamond County the

31st day of January, 1917-

A duly authenticated copy of the Will of Edwin F. Abell, together with the certificate of proof of said Will in the office of the Register of Wills for Baltimore County, Maryland, on the 9th day of March, 1904, was this day produced before the Clerk of this Court, and ordered to be recorded.

Teste: G. E. Bunting, Clerk,

By Kate P. Bell, D. C.