

Will of Mrs Eliza S Smith

Know all men by these presents; That I Eliza S Smith of the City of Pasadena County of Los Angeles State of California; of the age of 74 years and being of sound and disposing mind and memory, and not acting under duress, menace, fraud or undue influence of any person whatsoever do make publish and declare this my last will and testament in manner following, that is to say:

I

I direct that my body be decently buried with proper regard to my station and condition in life and the circumstances of my estate.

II

I direct that my executor hereinafter named, as soon as he has sufficient funds in ~~my~~ his hands, pay my funeral expenses, the expenses of my last sickness and all just debts existing against me at the time of my decease.

III

I give, devise and bequeath to my beloved son Frank DeWitt Smith, all of the rest, residue and remainder of my estate of every name and nature whatsoever whether real personal or mixed owned by me at the time of my death.

IV

In the event of the death of my son Frank DeWitt Smith and myself at the same time by accident or otherwise, or in the event of the death of my son before my death, and before I have opportunity of changing my Will, I then give, devise and bequeath my estate as follows, to-wit:

To the surviving widow of my said son Frank DeWitt Smith during her natural life or until she should marry, the sum of seventy five dollars per month, and direct that the same be paid to her as a prepaid payment each month by the executor of this my last Will and Testament, and payments thereof shall be continued by my Trustees herein named during her natural life or until she re-marries.

To Susan Bird Grace widow of my brother Russell B Grace of Little Rock Arkansas the sum of Five thousand Dollars
To Graeville Grace of Pasadena California the sum of two thousand (2000) Dollars.

To Mary J Smith of Las Vegas, New Mexico the sum of Five thousand (5000) Dollars.

To Miss Lucie Boyd of South Pasadena California the sum of three hundred (300) dollars

To Mrs Lizzie B Perkins of South Pasadena California the sum of three hundred (300) dollars.

To Miss Nettie Deverson of St Paul Minnesota the sum of one hundred dollars

To Miss Alice Hendrix of Lawrence Kansas one hundred (100) dollars

To Mrs Della Sinclair Dobson of Lawrence Kansas one hundred (100) dollars.

To Mrs Corbush Austin Bowser of Minneapolis Minnesota the sum of three hundred (300) dollars.

To Byron Austin of Minneapolis Minnesota the sum of three hundred (300) dollars.

To Mrs Rose Mills Williams of Albuquerque, New Mexico the sum of five hundred (500) dollars

To Mary de Graaf of St Paul Minnesota the sum of five hundred (500) dollars.

To Mrs Cordelia Sinsant of Denver Colorado the sum of four hundred dollars.

To Joseph E Gay of New York City New York, the sum of four thousand

six hundred (4600) dollars. To Eva Gross wife of Graeville M Gross

the sum of three hundred (300) dollars.

V

In the matter of the bequest heretofore made to Mary J Smith I direct that the same, to-wit the sum of five thousand (5000) Dollars, shall be paid to the title Insurance and Trust Company of the City of Los Angeles State of California, and shall be by said Company invested in either five per cent or six per cent first mortgage bonds, on long time and held in trust by it, and to pay the income derived therefrom to the said Mary J Smith as long as she lives, and at her death the said bonds shall either be turned over to, or sold and the proceeds turned over to the Trustees of the Sanatorium fund heretofore named mentioned to be used by them also as heretofore mentioned.

VI

In explanation of the bequest heretofore made to Graeville Grace and to Mrs Susan Bird Grace, I make this statement: That the difference between the two bequests is not due to the reason that I feel more kindly ^{word} toward than the other but is due entirely to the fact that Graeville Grace has been much more fortunate in the accumulation of property, and is already well provided for, and for that reason and no other, I give the larger sum to Mrs Susan Bird Grace.

VII

I give, devise and bequeath all the rest, residue and remainder of my estate to the Union Trust and Savings Bank of Pasadena California and to its successors in trust, in trust however for the purpose hereinafter expressed namely: That they shall take, hold and use all the rest, residue and

Remainder of my estate, and shall gather the same together as quickly as possible and convert the same into a fund for the purpose of, first to place at interest in good interest bearing securities the sum of twenty thousand (20000) dollars, for my grand children which are the children of my son Frank DeWitt Smith and wife, and apply the income derived therefrom to the maintenance and education of said children until they arrive at the age of twenty five years each, at which time the said sum of twenty thousand (20000) dollars shall be paid to each of them, second, to the establishing at Pasadena California or at some ^{other} point as near Pasadena as the same can be done to advantage, a Sanatorium for Consumptive persons, the same to be known as the "Joseph Hay Smith Sanatorium" said trustee shall take charge of the fund so created, and shall procure a site for the establishment of said Sanatorium to the best possible advantage, and shall manage, control and conduct the same in such manner as to make it pay the expenses for conducting the same if possible, and if necessary, to solicit others in its behalf, and to secure endowments of funds for that purpose; the object being to establish such an institution as would admit persons afflicted with Consumption whether they have sufficient means to pay their expenses or not, it being my desire that such arrangements shall be made as will admit poor people who have no means to pay for treatment and maintenance, as well as those who are able to pay for such care as would be given to them in an institution of that character. Herby giving to my trustee hereinbefore named the full power and authority to provide for the management and conduct of said business; leaving it to the sound discretion and best judgment of the governing body of said trustee, as to how the same shall be done, having full faith and confidence in the honesty, ability and integrity of purpose of said trustee. Also that it will use its utmost endeavors to carry out to the best of its ability, my wishes in regard to the establishment of the Sanatorium hereinbefore mentioned. It is my desire however, that they shall incur no debt of any kind or character which will endanger in any way the permanency of said Sanatorium, as I would much prefer to have a smaller institution, free from debt, than a larger one encumbered with obligations which might endanger its permanency, and thereby prevent the doing of good to suffering humanity which is loudly called for at this time.

VIII

In the event that the laws of California will not at the time of my death permit the disposition of the net residue

and remainder of my estate in accordance with paragraph seventh of this my Will, then I give, devise and bequeath such portions of said net residue and remainder of my estate as follows to wit; to my brother Granville M Gross of Pasadena California the sum of two thousand (2000) dollars, and to my Sister-in-law Susan Bird Gross the sum of two thousand (2000) dollars each to be in addition to the bequests hereinbefore made to them, and the remainder if any to my two grand children hereinbefore mentioned, to wit: the children of my son Frank DeWitt Smith, share and share alike, the same to be placed with said trustee hereinbefore named, to wit: The Union Trust and Savings Bank of Pasadena California on the same terms and under same conditions as hereinbefore mentioned in paragraph seventh hereof.

IX

I direct that the bequests hereinbefore made shall be paid by my executor in the following order, to wit: To my two ~~sons~~ grand children mentioned hereinbefore as the children of my son Frank DeWitt Smith payment in full. Second To Mary J Smith and to my Sister-in-law Susan Bird Gross, Third: All of the other bequests herein made shall be paid in pro rata proportion out of the net residue and remainder of my estate.

X

I hereby nominate and appoint my son, Frank DeWitt Smith of Pasadena California, the executor of this my last Will and Testament, he to serve as such without bond of any kind whatever hereby revoking all former Wills by me made, giving to my executor full power and authority to sell and convey any portion or all of my property of whatever kind and wherever the same may be situated, without any order of Court therefor, or without having to give or publish any notice of any kind whatever. In case of the death of my son Frank DeWitt Smith, I then appoint as the executor of this my last Will and Testament, my brother Granville M Gross and Leo S. McLaughlin with full power and authority as granted hereinbefore to my son Frank DeWitt Smith, except as to the giving of bonds.

In witness whereof, I have hereunto set my hand and seal this 19th day of March, 1914.

Eliza S Smith (Seal)

The foregoing instrument consisting of six pages besides this was at the date hereof, by the said Eliza S Smith signed sealed and published as and declared to be her last Will and Testament, in the presence of us, who at her request and in her presence and in the presence of each other, have subscribed our names as witnesses thereto.

Anna Joyce
Residing at Pasadena California

C M Simpson

Residing at Pasadena California

Mrs Smith's Will Continued

This is a Codicil to be added to the last Will and testament of me Eliza S Smith of Pasadena California which will bear date the 19th day of March 1914.

I do hereby ratify and confirm my said Will in all respects, save so far as any part thereof shall be revoked or altered by this present Codicil, and I do hereby change the same in particular as follows to wit: First I revoke, abrogate and declare null and void the bequest, in paragraph fourth, in said Will herinabove referred to to Miss Nettie Reinson of St Paul Minnesota of the sum of one hundred (100) dollars for the reason that she is dead.

Second: I revoke, abrogate and declare null and void the bequest in paragraph fourth, in said Will ~~herinabove~~ to Joseph E Gay of New York City, New York of the sum of four thousand six hundred (4600) dollars, for the reason that he is dead.

Third: The bequest in paragraph fourth in said Will to Mrs Gertrude Austin Bowen, of Minneapolis Minnesota I change from three hundred (300) dollars to one hundred (100) dollars.

Fourth: The bequest in paragraph fourth in said Will to Byron Austin of Minneapolis Minnesota I change from three hundred (300) dollars to one hundred (100) dollars.

Fifth: The bequest in paragraph fourth in said Will to Eva Gress, Wife of Granville M Gress, I hereby change from three hundred (300) dollars to five hundred (500) dollars.

Sixth: In paragraph tenth of said Will, wherein there is bequeathed in the event of the death of my son Frank DeWitt Smith before my death, the bequest to my two grandchildren (the children of my said son Frank DeWitt Smith) of twenty thousand dollars each, I direct that, after the payment of the expenses of administration and expenses of my last sickness and all just debts, said bequests to my two said grandchildren shall have preference over any other bequests in ~~full~~ said Will by me made, and that if my estate is not sufficient to pay the other bequests in full, then they shall be pro-rated and paid in ratio and proportion to the amount of each.

Seventh: In paragraph tenth of said Will, I hereby revoke the appointment of my brother Granville M Gress and Leo A McLaughlin to act as executors of said Will in case of the death of my son Frank DeWitt Smith whom I have in said Will appointed as the executor of my said Will; and I do hereby appoint W C Crowell and H G Simpson of Pasadena California as the executors of my said Will in case of the death of my said son Frank and I do hereby give to the said W C Crowell and

H G Simpson the same powers and under the same conditions as to bond, orders of Court ~~not~~ as is given to my said son Frank DeWitt Smith in said original Will.

And I do hereby revoke all former and other Codicils by me at any time heretofore made.

In witness whereof to this present writing which I hereby declare to be a Codicil to my last Will and testament, and which I direct to be added thereto and to be taken as a part thereof, I have set my hand and seal this 12th day of June 1917.

Eliza S Smith Seal

The foregoing instrument consisting of three pages including this, was at the date hereof, by the said Eliza S Smith, signed, sealed and published as, and declared to be a Codicil to her last Will and testament in the presence of us, who, at her request and in her presence and in the presence of each other, have subscribed our names as witnesses thereto.

C M Simpson Residing at Pasadena California
Eleanor A Daghoff Residing at Pasadena California

Codicil

Know all men by these presents that I Eliza S Smith of the City of Pasadena, County of Los Angeles, State of California, of the age of about (80) years, and being of sound ~~mind~~ and disposing mind and memory and not acting under duress, menace, fraud, or undue influence of any person whatsoever, do make, publish and declare this Codicil to my last Will and testament in the manner following that is to say First: I hereby ratify and confirm said Will in all respects as herin expressly modified.

Second: By reason of the birth of another daughter to my son Frank DeWitt Smith, namely Josephine Smith, it is my desire that whatever portion of my estate goes to the children of my said son, shall go to all of said children in equal parts, share and share alike, including the said Josephine Smith.

In witness whereof, I have herunto set my hand and seal this 6th day of April 1920

Eliza S Smith Seal

The foregoing Codicil to my will consisting of one page including this, was at the date thereof, by the said Eliza S Smith signed, sealed and published as, and declared to be a Codicil to her last Will and testament, in the presence of us, who at her request and in her presence and in the presence of each other have subscribed our names as witnesses thereto this 6th day of April 1920

Mary Alice Dodge Residing at Long Beach California
Ann Jennings Dyson Residing at Pasadena California

Endorsed 49876
 Last Will and Testament of Eliza S. Smith
 Filed Jan'y 8th 1921 L. C. Lupton County Clerk
 By H. H. Doyle Deputy.

In the Superior Court of the State of California
 in and for the County of Los Angeles,
 In the Matter of the Estate of } Certificate of proof of Will
 Eliza S. Smith Deceased } and facts found
 State of California }
 County of Los Angeles }

I James C. Rivers Judge of said Superior Court do hereby Certify that on the 2nd day of February 1921 the annexed instrument was admitted to Probate as the last Will and Testament of Eliza S. Smith deceased, and from the proofs taken and the examination had therein the said Court finds as follows;

That said Eliza S. Smith died on or about the 16th day of Nov^r 1920, in the County of Los Angeles, State of California; that at the time of her death she was a resident of the County of Los Angeles, State of California, that the said annexed Will, was duly executed by the said decedent in her life time in the County of Los Angeles State of California, and signed by the said testatrix in the presence of C. M. Jones and Simpson and Anna Jones, That a Codicil was duly published and declared to said Will on June 12th 1917 in the presence of C. M. Simpson and Eleanor Daghoff; that a second Codicil to said Will was duly published and declared by said decedent on April 6th 1920 in the presence of Anna Jennings Brydson and Mary Alice Dodge, the subscribing witnesses thereto; also that she acknowledged the execution of the same in their presence and declared the same to be her last Will and Testament, and the said witnesses attested the same at her request in her presence and in the presence of each other; that the said decedent at the time of executing said Will, was of the age of eighteen years and upwards, was of sound and disposing mind, and not under duress, menace, fraud or undue influence, nor in any respect incompetent to devise and bequeath her estate.

In witness whereof, I have signed this certificate and caused the same to be attested by the Clerk of said Court under the seal thereof, this 3rd day of February 1921.

Attest L. C. Lupton County Clerk
 By P. J. O'Donnell Deputy
 James C. Rivers
 Judge Superior Court

State of California
 County of Los Angeles

H. M. Sears being duly sworn deposed and says; he is the principal Clerk of the printer and publisher of The Pasadena Star-News, a news paper printed and published in the City of Pasadena Los Angeles County California, and as such has full charge of the advertisements published in said newspaper; that the Notice of hearing of Petition for Probate of Will of which the copy annexed on the margin herof is a true printed copy which printed copy is hereby referred to and made a part herof, was published in said newspaper from Jan 11th 1921 to Jan 21st 1921 both inclusive, the said Notice being in each ~~one~~ number of the regular and extra issues, and not in any supplement thereof, and during each and all times specified as follows, to wit. In the issues of Jan 11, 12, 13, 14, 15, 17, 18, 19, 20, 21, all in the year 1921, being all the days upon which the said newspaper was published during the said period. H. M. Sears,
 Subscribed and sworn to before me,
 this 24th day of January 1921 }

Geo. C. Sanderson Notary Public in and for Los Angeles County California

In the Matter of the Estate of } The Superior Court of the State California
 Eliza S. Smith deceased } in and for the County of Los Angeles.
 Notice is hereby given that the petition of Frank DeWitt Smith for the Probate of Will of Eliza S. Smith deceased and for the issuance of Letters Testamentary thereon to Frank DeWitt Smith will be heard at 2 O'Clock P.M. on the 2nd day of February 1921 at the Court room of Department 2 of the Superior Court of the State of California in and for the County of Los Angeles.

First Application Jan'y 11th 1921 L. C. Lupton County Clerk
 By H. H. Doyle Deputy

In the Matter of the Estate of } Testimony Subscribing Witness on
 Eliza S. Smith Deceased } Probate
 State of California } # 49876,
 County of Los Angeles }

C. M. Simpson of lawful age, and a competent witness, being duly sworn in open Court, testifies as follows;

I reside in the County of Los Angeles, State of California. I knew Eliza S. Smith on the 19th day of March 1914, the date of the instrument now shown to me, marked as filed in this Court

on the 8th day of January, 1921, purporting to be the last Will and Testament of the said Eliza S. Smith, deceased. I am one of the subscribing witnesses in said instrument; I also knew at the said date of said instrument, Anna Jones the other of said subscribing witnesses. The said instrument was signed and sealed by the said Eliza S. Smith at Pasadena in the County of Los Angeles, State of California, on the said day of March, 1914, the day it bears date, in the presence of myself and of said Anna Jones and the said Eliza S. Smith thereupon published the said instrument as and declared to us the same to be her last Will and Testament, and requested us in attestation thereof to sign the same as witnesses. The said Anna Jones and then and there in the presence of the said Eliza S. Smith and in the presence of each other, subscribed our names as witnesses to the said instrument.

At the time of executing the said instrument, to wit, the 19th day of March 1914, the said Eliza S. Smith was over the age of eighteen years to wit, of the age of 74 years, or thereabouts, and was of sound and disposing mind, and not acting under duress, menace, fraud, undue influence or misrepresentation.

E. M. Simpson
Subscribed and sworn in Open Court before me this 2nd day of Feb'y, 1921.

J. E. Lampton Clerk
By P. J. O'Donnell Deputy

In the matter of the Estate of Eliza S. Smith
Deceased
State of California
County of Los Angeles

Frank DelWitt Smith
being duly sworn in Open Court, testifies as follows:

I am the person named as executor in the document now shown to me, marked as filed in this Court, on the 8th day of January, 1921, purporting to be the last Will and Testament of Eliza S. Smith; I reside in the County of Los Angeles and am of the age of twenty-one years and upward; I knew said Eliza S. Smith she is dead; she died on or about the 16th day of November 19-- in the County of Los Angeles State of California.

The real estate is of the value of \$ none or thereabouts, and the annual rents, issues and profits of said real estate amount to the sum of \$ none or thereabouts.

The personal property is of the value of \$ 75 61. 80 or thereabouts.

The said estate and effects, for or in respect of which the Probate of said Will has been applied for does not exceed the value of \$10,000, The estate of said deceased is separate she being a widow.

The said document came into my possession as follows to wit: It was left in my possession, and I believe the same to be the last Will and Testament of Eliza S. Smith deceased.

The next of kin of said deceased was Frank DelWitt Smith a son, On the 19th day of March 1914, when said Will was executed, said deceased was over the age of eighteen years, being of the age of 74 years or thereabouts, and was of sound and disposing mind.

Frank DelWitt Smith

Subscribed and sworn to in open Court before me this 2 day of Feb'y 1921

J. E. Lampton Clerk
By P. J. O'Donnell Deputy

In the matter of the estate of
of Eliza S. Smith deceased.

State of California, #49876,
County of Los Angeles

C. M. Simpson of lawful age, and a Competent Witness, being duly sworn in open Court testifies as follows: I reside in the County of Los Angeles, State of California, I knew Eliza S. Smith on the 13th day of June 1917, the date of the instrument now shown to me, marked as filed in this Court on the 8th day of Jan'y 1921 purporting to be a copy of the last Will and Testament of the said Eliza S. Smith deceased. I am one of the subscribing witnesses to said instrument; I also knew at the time said date of said instru-

ment Eleanor A Baghoff the other of said subscribing witnesses. The said instrument was signed and sealed by the said Eliza S Smith at Pasadena in the County of Los Angeles State of California on the said day of June 1917, the day it bears date, in the presence of myself and of said Eleanor A Baghoff, and the said Eliza S Smith thereupon published the said instrument as, and declared to us the same to be a Codicil to her last Will and Testament, and requested us in attestation thereof to sign the same as witnesses. The said Eleanor A Baghoff and I then and there in the presence of the said Eliza S Smith and in the presence of each other subscribed our names as witnesses to the said instrument. At the time of executing the said instrument, to-wit, the 12th day of June 1917 the said Eliza S Smith was over the age of eighteen years to-wit, of the age of 77 years, or thereabouts, and was of sound and disposing mind, and not acting under duress, menace, fraud, undue influence or misrepresentation.

Subscribed and sworn to in open
Court before me this 2nd Day February 1921.

L E Lecompton Clerk
By P J O'Donnell Deputy

In the matter of the Estate of Eliza S Smith Decedent
State of California #49876,
County of Los Angeles }

Mary Alice Dodge of lawful age and a Competent witness being duly sworn in open Court, testifies as follows: I reside in the County of Los Angeles State of California. I knew Eliza S Smith on the 6th day of April 1920 the date of the instrument now shown to me, marked as filed in this Court on the 8th day of January 1921 purporting to be a Codicil to the last will and Testament of the said Eliza S Smith decedent. I am one of the subscribing witnesses to said instrument; I also knew on the said date of said instrument, Anne Jennings beyond the other of said subscribing witnesses. The said instrument was signed and sealed by the said Eliza S Smith at Long Beach in the County of Los Angeles, State of California on the said day of April 1920 the date it bears date in the presence of myself and of said Anne Jennings beyond and the said Eliza S Smith thereupon published the said instrument as, and declared to us the same to be a Codicil to her last Will and Testament, and requested us in attestation thereof to sign the same as witnesses. The said Anne Jennings beyond and I then and there in the presence of the said

Eliza S Smith, And in the presence of each other, subscribed our names as witnesses to the said instrument. At the time of executing the said instrument, to-wit, the 6th day of April 1920, the said Eliza S Smith was over the age of eighteen years to-wit, of the age of 80 years, or thereabouts and was of sound and disposing mind, and not acting under duress, menace, fraud, undue influence or misrepresentation.

Mary Alice Dodge

Subscribed and sworn to in open
Court before this 2 Day Feb 1921 }

L E Lecompton Clerk

By P J O'Donnell Deputy

In the matter of the Estate of
Eliza S Smith decedent }

To the Honorable the Superior Court of the State of California, in and for the County of Los Angeles. The petition of Frank Smith of the County of Los Angeles State of California respectfully shows: That Eliza S Smith died on or about the 16th day of November 1920 at Pasadena California. That said decedent at the time of her death was a resident of the County of Los Angeles State of California, and left property in the County of Los Angeles State of California, that the character of the said property and probable income therefrom are as follows, to-wit: Personal property consisting of twelve mortgage notes of an aggregate value of \$7566.25 having an actual income of about \$463.75. That the estate and effects in respect of which the probate of the Will is hereto applied for does not exceed in value the sum of \$5000. Dollars. That said decedent left a Will and Codicil bearing date the 15th day of March 1914 in the possession of your petitioner, which your petitioner alleges to be the last Will and Testament of said decedent, and which is hereto presented to said Superior Court; That your petitioner is named in said Will as Executor thereof; and the said ~~will~~ person so named consents to act as such Executor; and your petitioner aged about 53 years residing at Pasadena California is named therein as sole beneficiary. That the subscribing witnesses to the said Will are C M Simpson residing in the County of Los Angeles State of California and Anna Jones residing in the County of Los Angeles State of California. That the next of kin of said Testatrix whom your petitioner is advised and believes and therefore alleges to be the heir at law of said Testatrix and the name age and residence of said heir, your petitioner aged about 53 years

Residing at Pasadena California. That said testatrix left a Codicil to her Will executed on January 12th 1917 witnessed by C. M. Simpson and Eleanor Dayhoff both residing at Pasadena California. That said Testatrix left a second Codicil to her Will executed April 6th 1920 witnessed by Anne Jennings Brown and Mary Dodge of Long Beach California. That at the time said Will was executed to wit; on the said 15th day of March 1914, the testatrix was over the age of eighteen years to wit of the age of 74 years or thereabouts and was of sound and disposing mind, and not acting under duress, menace, fraud or undue influence and was in every respect competent, by last Will, to dispose of all his estate. That said Will is in writing signed by the said testatrix, attested by said subscribing witnesses, at the request of said testatrix, in the presence of said testatrix, and in the presence of each other, and your petitioner alleges that said witnesses at the time of attesting the execution of said Will, were competent;

That said codicils are in writing, signed by the said testatrix and attested by the above named witnesses, at the request of said testatrix, in the presence of said testatrix, and in the presence of each other, and your petitioner alleges that all of said witnesses at the time of attesting the execution of said codicils were competent.

Wherefore your petitioner prays that the said Will may be admitted to Probate and that letters testamentary be issued to your petitioner, and that for that purpose a time be appointed for proving said Will, and that all persons interested be notified to appear at the time appointed for proving the same, and that all other necessary and proper orders may be made in the premises.

Dated January 6th 1921

Frank DeWitt Smith
Los Angeles, California Jan. 8th 1921
The hearing of the within Petition For Probate of Will is hereby set for the 2 day of Feb. 1921 at 2 o'clock P. M. in Department 2 of the Superior Court of Los Angeles

County, California.

L. E. Hampton County Clerk
By N. P. Grant Deputy

Be it remembered that on the 2nd day of Feb. 1921 in Department Two of the Superior Court of the County of Los Angeles State of California, Hon. James C. Rivera Judge, presiding, the following proceedings were had, to wit;

In the Matter of the Estate of Eliza S. Smith Deceased No. 49876.

Now comes the petitioner, Frank DeWitt Smith by Simpson & Simpson, his attorneys, and proves to the satisfaction of the Court that the time for hearing the Petition for the Probate of the Will of said deceased, filed on the 8th day of Jan. 1921, and that notice of said Hearing has been duly given as required by law and no person appearing to contest the said petition, the Court proceeds to hear the evidence and thereupon finds the facts alleged therein to be true, and that said petition ought to be granted.

It is Therefore Ordered And Adjudged by the Court that said Eliza S. Smith, died on the 16th day of Nov. 1920, leaving estate in the State of California, and then a resident of Los Angeles County, State of California that the documents heretofore filed purporting to be the last will of said deceased and so alleged to be in said petition, be admitted to probate as the last will and codicils of said deceased; that Frank DeWitt Smith be appointed executor of the said last will and that Letters Testamentary thereon issue to him upon his taking the oath required by law without bond. L. E. Hampton County Clerk
By Anne O. Keefe Deputy

State of California }
Los Angeles County }

The last Will and Testament of Eliza S Smith deceased having been proved and recorded in the Superior Court of the State of California, in and for the County of Los Angeles Frank Delbert Smith who is named therein as such, is hereby appointed as Executor.

Witness L. C. Lupton, Clerk of the Superior Court of the County of the County of Los Angeles, with the seal of the Court affixed the 2^d day of Feb 1921

By Order of the Court
L. C. Lupton Clerk
By H. H. Doyle Deputy

State of California }
County of Los Angeles }

I do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of California, and that I will faithfully perform according to law, the duties of Executor, of the last Will and Testament of Eliza S Smith deceased.

Frank Delbert Smith

Subscribed and sworn to before me }
this 2^d day of February 1921 }

L. C. Lupton Clerk By H. H. Doyle Deputy,
Filed Feb. 2^d 1921. L. C. Lupton County Clerk by H. H. Doyle Deputy

State of California } In the matter of the estate of
County of Los Angeles } Eliza S Smith deceased #49876,

I L. C. Lupton County Clerk of the County of Los Angeles, State of California, and ex-officio Clerk of the Superior Court of Los Angeles County, State of California, do hereby certify and attest the foregoing to be a full, true and correct copy of the original petition for probate of Will; O. C. C. C.; Certificate of proof of Will and the facts found; affidavit of Publication of Notice of hearing petition; Testimony of subscribing witnesses and ~~affidavit~~ Applicant's order admitting Will to probate and for Letters Testamentary; and Letters Testamentary; on file in my office, and that I have carefully compared the same with the original.

I further certify that said Will was duly executed and proved agreeably to the laws and usages of the State of California.

In witness whereof, I have hereunto set my hand and annexed the seal of the Superior Court of Los Angeles County, State of California this 4th day of March 1921. L. C. Lupton County Clerk of the County of Los Angeles, State of California, and ex-officio Clerk of the Superior Court of Los Angeles County, State of California.

State of California }
County of Los Angeles }

I John W. Shank Judge of the Superior Court of Los Angeles County, State of California, do hereby certify that L. C. Lupton is County Clerk of the County of Los Angeles, State of California, and ex-officio Clerk of the Superior Court of Los Angeles County, State of California (which Court is a Court of record having a seal); that the signature to the foregoing Certificate and Attestation is the genuine signature of the said L. C. Lupton as such officer; that the seal annexed thereto is the Seal of said Superior Court; that said L. C. Lupton as such Clerk is the proper officer to execute the said Certificate and Attestation, and that such Attestation is in due form according to the laws of the State of California.

In witness whereof I have hereunto set my hand in my official character as such Judge at the City of Los Angeles, County and State aforesaid this 4th day of March 1921 John W. Shank

Judge of the Superior of Los Angeles County, Calif.

State of California }
County of Los Angeles }

I L. C. Lupton County Clerk of the County of Los Angeles, State of California, and ex-officio Clerk of the Superior Court of Los Angeles County, State of California (which Court is a Court of record having a seal, which is annexed hereto) do hereby certify that John W. Shank whose name is subscribed to the foregoing Certificate of due attestation was, at the time of signing the same, Judge of the Superior Court aforesaid, and was duly commissioned, qualified and authorized by law to execute said Certificate. And I do further certify that the signature of the Judge above named to the said Certificate of due attestation is genuine.

In witness whereof, I have hereunto set my hand and annexed the Seal of the Superior, at my office in said County, this 4th day of March 1921. L. C. Lupton County Clerk of the County of Los Angeles, State of California and ex-officio Clerk of the Superior Court of Los Angeles County, State of California

Filed for record May 19th 1921

R. J. Havelle County Court Clerk Lewis County, Tenn

State of Tenn. }
Lewis Co. }

I W.A. Brown of the first civil district of the county of Lewis, State of Tennessee, being of sound and disposing mind, do hereby make this my last will and testament;

To my wife Sara W. Brown I give and bequeath in lieu of Homestead and Lower the following described tracts or parcels of land, lying in the tenth civil district of Maury County Tennessee and bounded as follows:

Tract No. 1. Begun at Scott Field, Beginning at a set rock, S. A. Worley's S. W. corner, and running N. 72° E. W. 145 1/2 poles to stake, N. 26° W. 26 poles to stake, N. 64 W. 11 poles to E. B. Settle cor, N. 48 poles to set rock, 36 links S. Weatherly cor, S. 89° E. 73 3/4 poles to Brown & Sanders cor, S. 82 poles to the beginning, containing 31 1/2 acres more or less.

Tract No. 2. Beginning at Beach point on bank of branch, and running N. 51 poles to chestnut E. side of branch and 67 poles to Hatchers Trace, thence N. with tree to intersection of Gash Scott road, with trace, thence S. with said road to S. boundary line, S. 88 1/4° E. to a chestnut, S. 51 poles to chestnut and oak point, N. 87 1/2 W. 35 poles to the beginning, containing 60 acres more or less.

To be held by her as long as she shall remain my widow and no longer, together with the rents and profits of same; subject to the following conditions, First, that of the timber, she shall only use, cut or sell enough for firewood and the upkeep of the place. Second, that she shall when she can conveniently do so, rent or lease the above described tract or parcels of land to one or more of my sons, A. Brown, R. E. Brown, L. A. Brown and P. A. Brown or their heirs,

and that he or they as the case may be shall pay therefor one third of the crop or money in equal amount thereto and that he or they as the case may be shall take care of and keep the land in a good state of cultivation. and lastly, I appoint my sons A. Brown and R. E. Brown to be the Executor of this my last will and testament.

Witness my hand, this the 24th day of Apr. 1919.
W. A. Brown

M. O. Beasley } witnesses
Jesse Scott }

State of Tennessee }
Lewis County }

Personally appeared before me A. J. Hamlett, Co. Clk. of said County, Jesse Scott who made oath in due form of law, that he was one of the witnesses to the will of W. A. Brown, died, and that M. O. Beasley was another witness and that he was present when W. A. Brown signed this will and also when M. O. Beasley signed said will as one of the two witnesses.

A. J. Hamlett, Co. Clk.
This Aug. 10th 1921.

Filed for record August, 10th, 1921.

A. J. Hamlett, County Court Clerk
Lewis County, Tennessee.

State of Tennessee }
 Lewis County }

I, Mrs. Mary Marsh, of Lewis County, Tennessee, do make and publish this my last will and testament, hereby revoking all former wills by me at any time made.

1st I direct that all my just debts, including funeral expenses and expenses of administration, be paid by my executor.

2nd I give, devise and bequeath to my beloved nephew, John Marsh, all the property, both real and personal, that I possess and may possess at my death. This property now consists of furniture, household goods, money, notes, choses in action etc.

I give, devise and bequeath all that I have and as above provided to my said nephew, John Marsh, for the reason that he has been good to me and is now keeping me in his home.

3rd I hereby appoint and nominate my said nephew, John Marsh, sole executor of this my last will and testament.

In witness whereof I have hereunto set my hand, this the 12th day of May, 1921

Mary Marsh
 Signed by the said Mary Marsh, as and for her last will and testament, in the presence of us, the undersigned, who, at her request and in her sight and presence, have subscribed our names hereto as attesting witnesses, the day and date above written

J. A. Warf.
 R. M. Kelsey

State of Tenn
 Lewis County }

Personally appeared before me A. J. Hamlett, Clerk of the County Court of said County, J. A. Warf and R. M. Kelsey subscribing witnesses to the attached will, who being

first duly sworn, depose and say that they were personally acquainted with the within named Mrs Mary Marsh, the testator, and that she acknowledged the same in their presence to be an act and deed, for the purposes therein contained.

Witness my hand, at office this 8th day of Feb. 1922

R. M. Kelsey
J. A. Harf

A. J. Hamlett, Clerk

State of Tennessee
Lewis County

I, Mary E. Nickelson, of the village of
Kinnamin, County of Lewis, State of Tennessee, being
of sound mind and memory, do make public
and declare this to be my last will and test-
ament to wit:

1st All my just debts and funeral expenses
fully paid.

2nd I give devise and bequeath all the rest
residue and remainder of my estate both real
and personal to my beloved nephew, A. B. Nickel-
son to have to hold to him my said nephew
and to his bodily heirs and assigns forever.

3rd I nominate and appoint my said nephew
A. B. Nickelson to be the executor of this my
last will and testament hereby revoking all
former wills by me made.

In witness whereof I have hereunto set my
hand and seal this 28th day of Jan. 1921 A. D.

Mary E. Nickelson (seal)

Signed, sealed, published and declared as and
for her last will and testament by the above
named testator in our presence who have at
her request and in her presence and in the
presence of each other signed our names as
witnesses thereto.

W. S. Clark
H. H. Carroll

State of Tennessee
Lewis County

Personally appeared before me A. J.
Hainlett Clerk of County Court of said County,
W. S. Clark and H. H. Carroll subscribing witnesses
to the attached Will, who being first duly sworn,
depone and say that they were personally
acquainted with the within named Mary E.
Nickelson the testator, and that she acknowledged
the same in their presence to be an act and

deed, for the purposes therein ~~contained~~
Witness my hand, as office, this 1st day
of April 1922

A. J. Hainlett County Court Clerk

Will of C. W. P. Reid

I, C. W. P. Reid do make and publish this my last will and testament, hereby revoking and making void all others by me at any time made.

First, I direct that my funeral expenses and all my debts be paid as soon after my death as possible, out of any monies that I may die possessed of or may first come into the hands of my heirs.

Secondly, I give and bequeath to Mollie and Jenny Ladbetter Three full shares of all the property I may die seized and possessed of both real and personal.

Thirdly, I give and bequeath to Sam Ladbetter, Dave Ladbetter and Mrs. Alice Lewis, one share each of all my property.

Fourthly, I give and bequeath to Will Ladbetter and Mrs. Bettie Pollock, one share each of all my property, and should either or both of them die without issue, then I direct that their interest, whatever they may have of it at their death, to go back to all the other heirs share and share alike.

Fifthly, I give to John Perry, and the Children of Sam Perry, one full share, to be divided as follows, one half to John Perry and one half to the Children of Sam Perry.

In witness whereof, I do to this, my will, set my hand, this the Seventh day of October (1914) nineteen hundred and fourteen.

C. W. P. Reid

Signed and published in our presence, and we have subscribed our names hereto in the presence of each other and the testator,

This the 7th day of October 1914

M. B. Stewart

J. M. Ricketts

Certification on page 225.

State of Tenn. }
Leflore County, }

Personally appeared before me A. J. Hamilton Clerk of the County Court of said County, N. B. Stewart and J. M. Ricketts subscribing witnesses to the attached Will who being first duly sworn, depose and say that they are personally acquainted with the within named C. W. P. Reid the testator and that he acknowledged the same in their presence to be his act and deed, for the purposes therein contained.

Witness my hand, at office, this 30th day of Sept 1914.

A. J. Hamilton, clerk.

Will of John Shear.

I John Shear of Lewis County Tennessee. do make and Publish this as my last Will and Testament.

1st. I direct that all my just debts be paid out of the first money coming into the hands of my Executor.
2nd All of the residue of my Estate both real and Personal, I give & bequeath to my Son Robert Shear in fee simple. It being my desire to give every thing to my said Son, the only child of my first wife. My present wife Pauline Shear having deserted me and instituted Suit for divorce. I give nothing.

I appoint Catherine Harvest of Lewis County Tenn. Executor of this will with full authority to carry out the provision. I do not require her to execute any Bond.

In Testimony whereof I hereunto Affix my Signature this Jan 9th 1923

John Shear.

Signed by Hugh Shelton and Mrs A Watkins at the request of the Testator and in his presence and in the presence of each other

Hugh Shelton
Mrs A Watkins

State of Tennessee }
Lewis County }

Personally appeared before me
A. H. Grimes Judge of the County Court of said County, Mrs A Watkins and Statist that she saw John Shear. the instrument purporting to be his last will and Testament. and further states that he was of sound mind and competent to make this his last Will and Testament this Jan 15th 1923
Mrs A Watkins

Seem to see me

this Jan 15th 1923

W. J. Daniel, D.C.

Will of C. W. P. Reid

I, C. W. P. Reid do make and publish this my last will and testament, hereby revoking and making void all others by me at any time made.

First, I direct that my funeral expenses and all my debts be paid as soon after my death as possible, out of any monies that I may die possessed of or may first come into the hands of my heirs.

Secondly, I give and bequeath to Mollie and Jenny Sedbetter Three full shares of all the property I may die seized and possessed of both real and personal.

Thirdly, I give and bequeath to Sam Sedbetter, Dave Sedbetter and Mrs. Olace Lewis one share each of all my property.

Fourthly, I give and bequeath to Will Sedbetter and Mrs. Bettie Pollock, one share each of all my property, and should either or both of them die without issue, then I direct that their interest, whatever they may have of it at their death, to go back to all the other heirs share and share alike.

Fifthly, I give to John Perry, and the children of Sam Perry, one full share, to be divided as follows, one half to John Perry and one half to the children of Sam Perry.

In witness whereof, I do to this, my will, set my hand, this the Seventh day of October (1914) nineteen hundred and fourteen.

C. W. P. Reid

Signed and published in our presence, and we have subscribed our names hereto in the presence of each other and the testator,

This the 7th day of October 1914

W. B. Stewart

J. M. Ricketts

Certificate on page 225.

State of Tennessee }
Sevier County }

Personally appeared before me A. J. Hamilton Clerk of the County Court of said County W. B. Stewart and J. M. Ricketts subscribing witnesses to the attached Will, who being first duly sworn, depose and say that they are personally acquainted with the within named C. W. P. Reid the testator and that he acknowledged the same in their presence to be his act and deed, for the purposes therein contained.

Witness my hand, at office, this 30th day of Sept. 1921.

A. J. Hamilton, clerk.

Will of John Shear,

I John Shear of Lewis County Tennessee do make and publish this as my last Will and Testament.

1st. I direct that all my just debts be paid out of the first money coming into the hands of my executor.
2nd All of the residue of my Estate both real and personal, I give & bequeath to my Son Robert Shear in fee simple. It being my desire to give away thing to my said Son, the only child of my first wife. My present wife Pauline Shear having deserted me and instituted suit for divorce. I give nothing.

I appoint Catherine Harest of Lewis County Tenn. Executor of this will with full authority to carry out the provision. I do not require her to execute any Bond.

In Testimony whereof I hereunto affix my Signature this Jan 9th 1923
John Shear.

Signed by Hught Shilton and Mrs A Watkins at the request of the Testator and in his presence and in the presence of each other
Hught Shilton
Mrs A Watkins

State of Tennessee }
Lewis County }

Personally appeared before me
A. H. Grimes Judge of the County Court of said County. Mrs A. Watkins and stated that she saw John Shear. The instrument purporting to be his last will and Testament. and for this states that he was of sound mind and competent to make this his last Will and Testament this Jan 15th 1923
Mrs A Watkins

Seem not to be me

this Jan 15th 1923

W. I. Daniel, D.C.

Will of T. J. Slayden. } Mrs. Lily R. Slayden, Executrix.

I, T. J. Slayden do make and publish this as my last Will and testament, hereby revoking and making void all others by me at any time made.

First: I direct my funeral expenses and all my debts to be paid as soon after my death as possible, out of any money that I am possessed of or may first come into the hands of my executor.

Second: I give and bequeath to my beloved and dear wife Lily R. Slayden all of the property both real and personal that I may be seized and possessed of.

Third: I want my wife to have every thing that I am possessed of, to do with as she may see best, knowing that she will provide and care for my old sister E. J. Slayden, even as I would.

Fourth: I nominate and appoint my wife Lily R. Slayden, Executrix of this my last Will and testament without security.

In witness whereof I do to this my Will set my hand this 17th day of December nineteen hundred and seven.

(Signed) T. J. Slayden.

Signed and published in our presence and we have subscribed our names hereto in the presence of the testator,

this 17th day of December 1907.

(Signed) S. W. Kelly, Clerk of the County Court of Montgomery County, Tennessee.

(Signed) S. W. Kelly, Clerk of the County Court of Montgomery County, Tennessee.

I, S. W. Kelly, Clerk of the County Court of Montgomery County, Tennessee do hereby certify that the foregoing is a true and perfect copy of the Will of T. J. Slayden, deceased, as recorded in Will Book of page 53, at the same office of record.

In witness whereof I do to this my Will set my hand and official seal at my office in Clarksville, Tennessee, this 17th day of December 1907.

(Signed) S. W. Kelly, Clerk of the County Court of Montgomery County, Tennessee.

Will of T. J. Slayden continued.

State of Tennessee.

Montgomery County.

I, Jno. T. Cunningham, Judge of the County Court of Montgomery County, Tennessee, do hereby certify that S. W. Kelly, who signed the foregoing certificate, is, and was, at the time of signing same, the Clerk of the County Court of said County, and full faith and credit should be given to all of his official acts as such, and his said attestation is in due form.

In witness whereof I do to this my Will set my hand and official seal at my office in Clarksville, Tennessee, this 7th day of Dec. 1923.

(Signed) Jno. T. Cunningham, Judge, County Court of Montgomery County, Tennessee.

State of Tennessee.

Montgomery County.

I, S. W. Kelly, Clerk of the County Court of Montgomery County, Tennessee, do hereby certify that Jno. T. Cunningham who signed the foregoing certificate, is, and was, at time of signing same, the Judge of the County Court of said County, and full faith and credit should be given to all of his official acts as such, and his said attestation is in due form.

In witness whereof I do to this my Will set my hand and official seal at my office in Clarksville, Tennessee, this Dec. 7th, 1923.

(Signed) S. W. Kelly, Clerk, County Court of Montgomery County, Tennessee.

State of Tennessee.

Lewis County.

I, A. J. Hamblitt, Clerk of the County Court of Lewis County, Tennessee, do hereby certify that the foregoing Will of T. J. Slayden, deceased, was filed for record in the County Court of said County on Dec. 20, 1923.

(Signed) A. J. Hamblitt, Clerk of the County Court of Lewis County, Tennessee.

Fred Kaufman } Mrs. Ediza Kaufman Executrix,
Will

I, Fred Kaufman, of Oklahoma,
hereby make and publish this, my last
will and testament, hereby revoking all
writing will and void all former wills
and bequests by me made.

First: I direct that all my just debts and
my funeral expenses be paid out of any money
or personal property that I may be seized
and possessed of.

Second: I hereby give and bequeath all
the remainder of my estate, whether of goods
or chattels, real, personal, money, chosen
in action, or kind and to my beloved
wife, Ediza Kaufman, and hereby nominate and
appoint her to be my Executrix to carry out
the provisions of this, my last will and
testament, without bond.

In testimony whereof I have hereunto set my
hand this 23rd day of May 1923.

Fred Kaufman.

The above will was signed in our pre-
sence, by the testator, and we have signed
the same in the presence of each other,
this 23rd day of May 1923.

A. C. Goodman, Witness,
A. M. Paschberg, "

State of Oklahoma }
Lincoln County

Personally appeared before me A. J. Hamblitt
Clerk of the Court of said County, John A. Goodman and A. M. Paschberg
subscribing witnesses to the attached will, who being first duly
sworn, swore and say that they are generally acquainted with the
within named Fred Kaufman, the testator, and that he
is mentally sane in this business to be his act and deed,
for the purpose herein contained.

Witness my hand, at office, this 1st day of Nov. 1923.

A. J. Hamblitt

Notary.

J. R. Faine } J. B. & Robt. S. Faine Executors
Will

I, J. R. Faine being of sound mind and
memory and publish this as my last will and testa-
ment hereby revoking all other wills by me at
any time made.

(Item 1.) I direct and I desire my wish and will
that all of my property, both real and personal
except as hereinafter mentioned be sold by my
executor hereinafter named and the said sale
shall be upon such time and terms as my
said executor in their judgment may deem
best, my said executor shall proceed to collect
all and due me of whatever kind and
nature and they will proceed to pay any and
all debts that may be against me.

(Item 2.) It is my will that my much loved daughter
generally known as "Lettie" shall be well
and amply provided for during her life, and
for this purpose I give and devise in trust
to my two sons J. B. Faine and Robert S. Faine
my home place or place where I now reside,
this place is to be managed and used by
my executor as trustee for my said
daughter and exclusively for her benefit,
support and maintenance during her life,
but said executor are authorized to sell the
timber on the said home place as they shall
best and provide of sale proceeds of as in
item 3.

(Item 3.) It is my will and I direct that
the proceeds of my estate shall be divided
equally among my heirs at law, except
James R. Faine Jr. who is hereinafter pro-
vided for. This division of my estate
other than that herein provided to said
trustee for the benefit of my daughter
shall be made at once as practicable
among my heirs at law and there upon
the falling in of the life estate that is
upon the death of my said daughter,
the said place shall go to her or to the
trustee for her benefit, shall be the

(Will of J. R. Fair continued.)

by my said executor or their successors in trust and the funds divided equally among my heirs at law, except James R. Fair Jr. who is hereinafter provided for.

(Item 4.) I hereby nominate and appoint my two sons J. B. Fair and Robert S. Fair as executors of this my will, and they will act in that capacity without bond.

In witness whereof, I hereunto set my hand, this the 26th day of Sept. 1923,
J. R. Fair.

We, the undersigned, do hereby sign and name as witnesses to the foregoing will in the presence of and at the request of the testator,
this the 26th day of Sept. 1923.

F. A. Goodman,
J. A. May.

"Codicil"

I make and publish this as a codicil to my foregoing will:

(Item 1.) For the benefit of my son James R. Fair Jr. who has not been provided for above, I direct that my executors shall expend out of the proceeds of said sale, so much as they may think best or at the condition of my said son may require, they to exercise their judgment and discretion in said amount so expended.

(Item 2.) It is further my will that my executors advance out of the proceeds of the first sale to and for the benefit of my son Allen R. Fair, an amount, which in connection with his pro-rata part of said first sale, not to exceed five thousand dollars in all; that is including his said pro-rata part of said sale, and said advancement to be taken out of the distribution share

(Will of J. R. Fair continued.)

in equal proportion of my other heirs at law, out of said first sale, and said advancement to be paid over to my said other heirs out of the distribution share of my said son Allen's part of the proceeds of my said home place, when sold.

In witness whereof I hereunto set my hand, this the 26th day of Sept. 1923,
J. R. Fair.

We, the undersigned, do hereby sign and name to the foregoing codicil of the foregoing will, in the presence of and at the request of the testator, and also in the presence of each other.

This the 26th day of Sept. 1923,
F. A. Goodman,
J. A. May.

State of Tennessee,
Lewer County.

Personally appeared before me, A. J. Hammett, Clerk of the County Court of said County, F. A. Goodman and J. A. May subscribing witnesses to the attached will, who being first duly sworn, depose and say that they are personally acquainted with the within named J. R. Fair the testator, and that he acknowledged the same in their presence to be an act and deed, for the purposes therein contained. Witness my hand at office, this 5th day of Nov. 1923,
A. J. Hammett, Clerk.

Make King Dec'd. { John Schinwiler Executor.
Will

I Melchior King do make and publish this my last will and testament hereby revoking and making void all others by me at any time made.
First: I direct that my funeral expenses and all my debts be paid as soon after my death as possible, out of any money that I may be possessed of or may first come into the hands of my Executor.
Second: I give and bequeath to the three daughters of my sister Rosa wife of New York City, formerly Rosa King, Minnie, Carrie and Emma, the balance of my estate to be equally divided between them.
Third: I do hereby nominate and appoint J. J. Schinwiler my executor, and if I should have any real estate after my death, I direct my executor to sell same and distribute the proceeds as directed.
In witness whereof, I do to this, my will, set my hand, this 23rd day of August 1823.
Melchior King.

Signed and subscribed published in our presence and we have signed subscribed our names in the presence of the testator.

This, the 23rd day of August 1823.
Alair Spiess.
J. W. Armstrong.

State of Tennessee, {
Fauquier County

Personally appeared before me, A. J. Hamilton, Clerk of the County Court of said County, J. W. Armstrong and Alair Spiess subscribing witnesses to the attached will, who first being duly sworn, depose and say that they are personally acquainted with the within named Make King, the testator, and that he acknowledged the same in their presence to be an act and deed, for the purpose therein contained, before my hand, at office, this 12th day of Dec. 1823.

Albert Kramer, Dec'd. { Albert O. Kramer, Executor.
Will.

Filed for Probate Sept. 23rd, 1824.
I, Albert Kramer, being of sound and disposing mind, but in feeble health, and realizing the uncertainty of life, do make and publish, this my last will and testament, hereby revoking and making void all other wills and Codicils made by me at any time.

First: I direct that my funeral expenses and all my just debts be paid as soon after my death as possible, out of any money that I may be possessed of or which may first come into the hands of my executor.

Secondly: I give and bequeath to my daughter, Mrs. B. T. Young, five shares of \$100.00 each in the First National Bank of Obolensville, Tenn.

Thirdly: I give and bequeath \$100.00 cash to my daughter, Mrs. Emma Ankels.

Fourthly: I give and bequeath to my daughter, Mrs. Augusta Whittier, all the residue of my estate of ever kind and character, including household furniture, notes and money, except that I give and bequeath to my son, Albert O. Kramer, \$100 of said residue after the legacies hereinbefore mentioned have been paid and do hereby nominate my said son, Albert O. Kramer to be my sole executor to carry out the provision of this will, and having the utmost confidence in his integrity I request that he be allowed to act as such executor without bond.

In witness whereof, I do to this, my last will and testament, set my hand, this 7th day of July 1824.
Albert Kramer.

Signed and published in our presence by the testator, and we subscribe our names hereto in the presence of the testator, and in the presence of each other.

This, 7th day of July 1824.
Charles E. Schubert,
Thos. J. Pitzer.

(Continued on page 236)

Will of Albert Kramer, Dec. (continued from page 235)

State of Tennessee,
Lewis County,

Personally appeared before me,
A. J. Hamlet, Clerk of the County Court of
said County, Mrs. Pearl E. Schubert and
John J. Peterson, subscribing witnesses to the
attached Will, who being duly sworn, depose
and say that they are personally acquainted
with the within named Albert Kramer, the
testator, and that he acknowledges the same in
their presence to be an act and deed, for the
purpose therein contained.
Witness my hand, at office this 23rd day of
Sept. 1824.

A. J. Hamlet,
Clerk.

Will of Conrad Dittler,

Mrs. Annie Dittler, Ex. contrp.

Filed and probated Oct. 8th, 1824.

Know all men by these presents
that I Conrad Dittler do make and publish
this as my last will and testament.
1st, I desire that all my just debts and funeral
expenses be paid by my executor hereafter
named.

2nd, I give, devise and bequeath unto my
dearly beloved wife, Annie Dittler, all of the
real and residue of my estate, real personal
and mixed of ever kind and wherever located,
to have and to hold absolutely to her sole and
separate use and benefit.

3rd, I nominate and appoint my wife,
Annie Dittler, my sole Executrix without
bond.

Conrad Dittler.

Signed and acknowledge in our presence by
the testator, Conrad Dittler and signed by
us in the presence of each other.

Attest: A. Kramer,

" Augusta Matthis.

Mrs. Rachel Young, } Witnesses as to the sig-
F. A. Goodman, } nature of A. Kramer, Dec.
} some of the subscribing witnesses
} to this will.

State of Tennessee,
Lewis County.

Personally appeared before me,
A. J. Hamlet, Clerk of the County Court of said
County, Mrs. Augusta Matthis a subscribing
witness to the attached Will, who being first
duly sworn, depose and say that she was
personally with the within named Conrad
Dittler, the testator, and that he acknowledged
the same in her presence to be an act and deed,
for the purpose therein contained.
Witness my hand, at office, this 8th day of Oct. 1824.

A. J. Hamlet, Clerk.

Will of Conrad Smith, continued from page 237.

State of Texas,
Tarrant County.

Personally appeared before me,
A. J. Hamilton, Clerk of the County Court of said
County, Mrs. Brinker Young and F. C. Goodman,
who first being duly sworn, before and say
that they were personally acquainted with
C. Kramer, decd, one of the subscribing wit-
nesses to the attached will, and that they were
familiar with the said C. Kramer's hand
writing, and that the signature of the said
C. Kramer to the attached will is his
genuine signature, to the best of their
knowledge and belief.

This, Oct. 8th, 1924.

Mrs. Brinker Young.
F. C. Goodman.

Subscribed and sworn to before me,
This Oct. 8th, 1924.

A. J. Hamilton, Clerk.

Will of Frank DeWitt Smith

In the Superior Court of the State of California in and for the
County of Los Angeles,

In the Matter of the Estate of } Petition for Probate of Will,
Frank DeWitt Smith Deceased }

To the Honorable the Superior Court of the State of California in and for the
County of Los Angeles: The petition of Nellie F. Smith of the County of Los
Angeles State of California respectfully shows; That Frank DeWitt Smith
died on or about the 24th day of August 1924 at Pasadena California,
That said deceased at the time of his death was a resident of the County
of Los Angeles, State of California;

That the character of the said property and probable income therefrom are
as follows to-wit: Real and personal property of about the value of more
than \$10,000.00. That the estate and effects, in respect of which the
probate of the Will is herein applied for does exceed in value the sum of
\$10,000.00 dollars, That said deceased left a Will bearing date the 27th day
of June 1923 in the possession of your Petitioner which your petitioner
alleges to be the last Will and Testament of said deceased, and which is
herewith presented to said Superior Court;

That Nellie F. Smith is named in said Will as executrix thereof; and the
said person so named consents to act as such executrix and Nellie F. Smith
aged about over 21 years residing at Pasadena California (808 S. Madison Ave.)
Harvey DeWitt Smith a minor residing at 808 S. Madison Ave. Pasadena California
Gertude Eleanor Smith a minor residing at 808 S. Madison Ave. Pasadena California
and Josephine Smith a minor residing at 808 S. Madison Ave. Pasadena California are
named therein as devisees. That the subscribing witnesses to the said Will
are H. B. Simpson residing in the County of Los Angeles, State of
California and residing in the County of Los Angeles State of California,
That the next of kin of said testator whom your petitioner advised
and believe, and thereupon allege to be the heirs at law of said testator, and
the names, ages and residences of said heirs are as follows
Nellie F. Smith surviving wife over 21, 808 S. Madison Pasadena, Calif.
Harvey DeWitt Smith Son minor same address
Gertude Eleanor Smith Daughter minor " "
Josephine Smith Daughter minor " "

That at the time said Will was executed to-wit on the said 27th
day of June 1923, the testator was over the age of eighteen years
to-wit of the age of 57 years or thereabouts, and was of sound mind
and disposing mind and not acting under duress, menace, fraud
or undue influence, and was in every respect completely competent to
dispose of his estate. That said Will is in writing signed
by the said testator and attested by said subscribing witnesses at

the request of said testator or in the presence of said testator and in the presence of each other, and your petitioner alleges that said witnesses at the time of attesting the execution of said Will were competent. Whereof your petitioner prays that the said Will be admitted to probate, and that Letters Testamentary be issued to your petitioner, and that for that purpose a time be appointed for proving said Will and that persons interested be notified to appear at the time appointed for proving the same, and that all other necessary and proper orders may be made in the premises.

Dated Sept 24th 1924

Nellie F. Smith

Petition for Probate Will Filed Sept 24th 1924

E. C. Lupton Co. Clerk by H. H. Doyle, Deputy

Last Will and Testament of Frank DeWitt Smith

Know all Men by these presents: That I Frank DeWitt Smith of the City of Pasadena County of Los Angeles State of California, being over the age of twenty one years, of sound and disposing mind and memory, and not acting under duress, menace, fraud or undue influence of any person whatsoever, do make, publish and declare this my last Will and Testament in the manner following, that is to say:

First: I direct that my body be decently buried proper regard being had to my station in life and the conditions of my estate.

Second: I direct that my executrix hereinafter named, as soon as she shall have sufficient funds in her hands which may be devoted to that purpose, pay all the expenses of my last sickness, my funeral expenses and all just debts which may exist against me at the time of my decease.

Third: I give, devise and bequeath to La Vina Sanitarium, near Pasadena California the sum of Ten Thousand Dollars to be paid when in the judgment of my executrix, the conditions of my estate will warrant it.

Fourth: All the net, residue and remainder of my estate I give, devise and bequeath as follows: One-third thereof to my wife, Nellie F. Smith Two-thirds thereof to my three children, Harry DeWitt Smith, Gertrude Eleanor Smith and Josephine Smith in equal parts share and share alike subject however to the following provisions of trust viz: The share coming to each child shall be held in trust by my wife Nellie F. Smith, as Trustee, until each child shall have arrived at the age of twenty (20) years said trustee shall act without bond, and shall make an annual report to the Court showing all receipts and expenditures of the fund in her hands as such trustee. At the event of the death or incapacity of my said wife Nellie F. Smith to act as such trustee I nominate and appoint E. D. Ward McComy to act as such trustee.

Fifth: I hereby nominate and appoint my wife Nellie F. Smith executrix of this my last Will and Testament and direct that she be allowed to serve as such without giving bonds of any kind; and that she shall have power to sell any and all property of my estate, without any order of Court and without giving any notice thereof.

Sixth: I hereby declare that there are no persons whom I have failed to mention by inadvertence or mistake.

Seventh: I hereby revoke any and all former Wills by me made.

In witness whereof I have hereunto set my hand and seal this 27th day of June 1923 Frank DeWitt Smith, (seal)

The foregoing instrument consisting of two pages, including this was at the date hereof, by the said Frank DeWitt Smith signed, sealed and published as and declared to be his last Will and Testament, in the presence of us, who at his request and in his presence, and in the presence of each other, have subscribed our names as witnesses thereto.

Katharine A. Smith

Residing at Pasadena California

H. G. Simpson

Residing at Pasadena California

Endorsed 70308. Last Will and Testament of Frank DeWitt Smith, Filed Sept 25th 1924 E. C. Lupton Co. Clerk by H. H. Doyle, Deputy

In the Matter of the Estate of Frank DeWitt Smith Deceased State of California: Witness Certificate of proof of Will and County of Los Angeles: the fact, found.

I Frank R. Willis Judge of said Superior Court, do hereby Certify that on the 30th day of October 1924 the annexed instrument was admitted to probate, as the last Will and Testament of Frank DeWitt Smith deceased and from the proofs taken and the examination had therein the said Court find as follows: That said Frank DeWitt Smith died on or about the 24th day of August 1924 in the County of Los Angeles, State of California that at the time of his death he was a resident of the County of Los Angeles State of California, that the annexed Will was duly executed by the said decedent in his lifetime in the County of Los Angeles State of California and signed by the said testator in the presence of H. G. Simpson and Katharine A. Smith the subscribing witnesses thereto; also that he acknowledged the execution of the same in their presence, and declared the same to be his last Will and Testament, and the said witnesses attested

the same at his request in his presence and in the presence of each other; that the said decedent at the time of the making said will was of the age of eighteen years and upwards, was of sound and disposing mind and not under duress, menace, fraud or undue influence nor any respect incompetent to devise and bequeath his estate, In witness whereof I have signed this Certificate and caused the same to be attested by the Clerk of said Court under the seal thereof, this 30th day of October 1924.

Frank R Willis Judge of Superior Court
Attest L E Loughton County Clerk By H A Doyle Deputy

In the Matter of the estate of Frank DeWitt Smith deceased
Notice is hereby given that the petition of Nellie F. Smith ~~Will~~ for the probate of Will of Frank DeWitt Smith deceased and for the issuance of Letters Testamentary thereon to Nellie F. Smith will be heard at 2 O'clock P.M. on the 14th day of October 1924 at the Court Room of Department 2 of the Superior Court of the State of California in and for the County of Los Angeles.
Dated September 24th 1924 L. E. Loughton County Clerk by H A Doyle Deputy
Simpson & Simpson Attorneys for Petitioner

State of California
Los Angeles County

C. B. Riggins being sworn says: I am a citizen of the United States over the age of twenty one years and resident of Los Angeles City and County, State of California and not interested in the matter of the above estate. That at the request of the Attorney for Petitioner, I served on the 20th day of September 1924 a copy of the notice of the time and place appointed for probate of the Will of said deceased filed herein on the 14th day of Sept. 1924 upon the following persons to-wit: Nellie F. Smith 808 S. Madison Ave Pasadena California, Harry DeWitt Smith 808 S. Madison Ave Pasadena California, Lettie Eleanor Smith 808 S. Madison Ave Pasadena California, Josephine Smith 808 S. Madison Ave Pasadena, by depositing in the Post Office of the City of Los Angeles Cal (Postage prepaid) a copy of said notice, like copy herunto annexed addressed to each of the above named persons at his or her respective place of residence as above stated.

Subscribed and sworn to before me
this 10th day of Oct 1924
Filed Oct 10th 1924
L E Loughton County Clerk
By H A Doyle
C B Riggins

In the Matter of the estate of Frank DeWitt Smith deceased
Notice is hereby given that the petition of Nellie F. Smith for the probate of Will of Frank DeWitt Smith deceased and for the issuance of Letters Testamentary thereon to Nellie F. Smith will be heard at 2 O'clock P.M. on the 14th day of October 1924 at the Court Room of Department 2 of the Superior Court of the State of California in and for the County of Los Angeles.
Dated September 24th 1924 L. E. Loughton County Clerk
By H A Doyle Deputy
State of California
County of Los Angeles

C. B. Riggins of said County and State, being duly sworn says: That he is and at all times herein mentioned was a citizen of the United States over eighteen years of age and not a party to nor interested in the above entitled matter; that he is the principal clerk of the printer and publisher of the California Independent a newspaper printed and published weekly in said County that the Probate of Will of which the annexed is a printed copy, was published in said newspaper once a week for 3 successive weeks, and as often as said newspaper was regularly published during said time and on the following days to-wit: Sept 25th Oct 2 & 9 1924
C B Riggins

Subscribed and sworn to before me;
this 10th day of Oct 1924.
State of California
County of Los Angeles
L E Loughton Clerk by H A Doyle Deputy

H. C. Simpson of lawful age and a competent witness being duly sworn in open Court, testifies as follows:
I reside in the County of Los Angeles State of California. I knew Frank DeWitt Smith on the 17th day of June 1923 the date of the instrument now shown to me marked as filed in this Court on the 22nd day of September 1924 purporting to be the last Will and Testament of the said Frank DeWitt Smith deceased; I am one of the subscribing witnesses to said instrument; I also knew at the said date of said instrument Katharine A Smith the other of said subscribing witnesses. The said instrument was signed and sealed by the said Frank DeWitt Smith at Pasadena in the County of Los Angeles State of California on the said 17th day of June 1923 the date it bears date in the presence of myself and of said Katharine A Smith, and the said Frank DeWitt Smith thereupon published the said instrument as and declared to us the same to be his last Will and Testament, and requested us in attestation thereof to sign the same as witnesses. The said Katharine A Smith and I then and there in the presence of the said Frank DeWitt Smith and in the presence of each other subscribed our names as witnesses to the said instrument.

At the time of executing the said instrument to-wit the 20th day of June 1923 the said Frank DeWitt Smith was over the age of eighteen years to-wit of the age of 58 years or thereabouts and was of sound and disposing mind and not acting under duress, menace, fraud, undue influence or misrepresentation.

Subscribed and sworn to in Open Court, H. H. Simpson before me this 15th day of October 1924

L. E. Lampleton County Court Clerk.

State of California
County of Los Angeles

H. H. Simpson being duly sworn in Open Court testifies as follows: That Nellie F. Smith is the person named as executrix in the document now shown to me marked as filed in this Court on the 24th day of September 1924 purporting to be the last Will and Testament of Frank DeWitt Smith. I reside in the County of Los Angeles State of California and am the age of twenty one years and upwards. I know said Frank DeWitt Smith he is dead he died on or about the 24th day of August 1924 at Pasadena in the County of Los Angeles State of California. At the time of his death he was a resident of the County of Los Angeles State of California and left estate in the County of Los Angeles State of California.

The real estate is of the value of \$225,000.00 or thereabouts and the annual rents issues and profits of said real estate amount to the sum or thereabouts, the personal property is of the value of \$75,000.00 or thereabouts. The said estate and effects for or in respect of which the Probate of said Will has been applied for does exceed the value of \$10,000.00. The estate of said deceased is separate property the same having been acquired before marriage; the said document came into my possession as follows to-wit: In safe deposit box and I believe the same to be the last Will and Testament of Frank DeWitt Smith deceased. The next of kin of said deceased and heirs of same are Nellie F. Smith wife, Harvey DeWitt Smith son, Corinda Cleaver Smith daughter and Josephine Smith daughter. On the 20th day of June 1923 when said Will was executed, said deceased was over the age of eighteen years being of the age of 58 years or thereabouts and was of sound and disposing mind.

Subscribed and sworn to in Open Court before me this 15th day of October 1924

L. E. Lampleton County Clerk

Filed Oct. 31, 1924

L. E. Lampleton Clerk
By H. C. Anderson Deputy

On Oct 30th 1924, in Department Two of the Superior Court, County of Los Angeles State of California Hon Frank R. Willis Judge presiding the following proceedings were had to-wit

In the matter of the estate of
Frank DeWitt Smith deceased

Now comes the petitioner Nellie F. Smith by Simpson and Simpson her Attorneys and proves to the satisfaction of the Court that the time for hearing the Petition for the Probate of the Will of said deceased filed on September 24th 1924 and for Letters Testamentary thereon, was by the Clerk duly set for October 14th 1924 and that notice of said hearing has been duly given as required by law the hearing having been regularly postponed to this day and no person appearing to contest the said petition the Court proceeds to hear the evidence and thereupon finds the facts alleged therein are true and that said petition ought to be granted.

It is therefore ordered and adjudged by the Court that said Frank DeWitt Smith died on the 24th day of August 1924 having estate in the State of California and that a resident of the County of Los Angeles State of California; that the document herewith filed purporting to be the last Will of said deceased and so alleged to be in said petition be admitted to probate as the last Will of said deceased; and that Nellie F. Smith be appointed executrix of the said last Will and that Letters Testamentary thereon issue to her upon her taking the oath as required by law and without bond entered Oct 30-1924

Entered- L. E. Lampleton County Clerk
By Fawcett Howell Deputy.

State of California
County of Los Angeles

The last Will and Testament of Frank DeWitt Smith deceased having been proved and recorded in the Superior Court of the State of California in and for the County of Los Angeles Nellie F. Smith who is named therein as such is hereby appointed executrix.

Witness L. E. Lampleton Clerk of the Superior Court of the County of Los Angeles with the seal of the Court affixed the 31st day of Oct 1924

By order of the Court L. E. Lampleton Clerk by H. H. Doyle Deputy

State of California
County of Los Angeles

I do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of California and that I will faithfully perform according to law the duties of Executrix of the last Will and Testament of Frank DeWitt Smith deceased

Nellie F. Smith

Subscribed and sworn to before me this 15th day of October 1924.

H. C. Anderson, Notary Public for Los Angeles County California

State of California }
County of Los Angeles }

I L E Hampton County Clerk and ex-officio
Clerk of the Superior Court within and for the County and State aforesaid
do hereby Certify the foregoing to be a full true and correct Copy of the original
Letters Testamentary granted herein as the same appears of record and on file
in my office. In witness whereof I have hereunto set my hand and affixed
the seal of the Superior Court this 31st day of 1924

Filed Oct. 31, 1924

L E Hampton County Clerk

State of California }
County of Los Angeles }

In the Matter of the Estate of
Frank De Witt Smith Deceased

I L E Hampton County Clerk of the County of Los Angeles State
of California and ex-officio Clerk of the Superior Court of Los Angeles County
State of California, do hereby Certify and attest the foregoing to be a full true and
correct Copy of the original Petition for Probate of Will; Will and Certificate
of Copy of Will and the facts found; Affidavits of Marrying and Publication;
Testimony; Order admitting Will to Probate and for Letters Testamentary and Letters
Testamentary on file in my office, and that I have carefully compared the
same with the originals. I further Certify that said Will was duly ex-
ecuted and proved according to the laws and usages of the State of California,
In witness whereof I have hereunto set my hand and annexed the seal
of the Superior Court of Los Angeles County State of California this 19th day
of November 1924. L E Hampton County Clerk of the County of Los Angeles
State of California and ex-officio Clerk of the Superior Court of Los Angeles
County State of California

Superior Court
Seal Los Angeles
County

State of California }
Los Angeles County }

I John M York Judge of the Superior Court of
Los Angeles County State of California do hereby Certify that L E Hampton
is County Clerk of the County of Los Angeles State of California and ex-officio
Clerk of the Superior Court of Los Angeles County State of California (which
Court is a Court of record having a seal); that the signature to the foregoing
Certificate and attestation is the genuine signature of the said L E Hampton
as such Officer; that the seal annexed hereto is the seal of the Superior Court
that said L E Hampton as such Clerk is the proper Officer to execute the
said Certificate and attestation and that such attestation is in due form ac-
cording to the laws of the State of California
In witness whereof I have hereunto set my hand in my official
Character as such Judge at the City of Los Angeles County and State
aforesaid this 19th day of November 1924

John M York Judge of the Superior
Court of Los Angeles County State of California

State of California }
County of Los Angeles }

I L E Hampton County Clerk of the
County of Los Angeles State of California and ex-officio Clerk of
the Superior Court of Los Angeles County State of California
(which Court is a Court of record having a seal which is annexed
hereto) do hereby Certify that John M York, whose name is subscribed
to the foregoing Certificate of due attestation was at the time of signing
the same Judge of the Superior Court aforesaid and was duly com-
missioned qualified and authorized by law to execute said Certificate.
I do further Certify that the signature of the Judge above
named to the said Certificate of due attestation is genuine.
In witness whereof I have hereunto set my hand and annexed
the seal of the Superior Court at my office in said
County this 19th day of November 1924

Superior Court
Seal Los Angeles
County California

L E Hampton County Clerk of the
County of Los Angeles State of California and ex-officio Clerk
of the Superior Court of Los Angeles County State of California.

Lower County
Court Seal
Numerous

Filed and Probated this Nov 28th 1924

A J Hamlett Clerk

Last Will and Testament of N. M. Lloyd, Decd.

Filed for Record and Probated, June, 13th, 1825.

I, N. M. Lloyd, of Adams County, Tenn., being in full health of body, but of sound mind and disposing memory, aware of the uncertainty of life and the certainty of death, do make and publish this my last Will and Testament, hereby revoking all former Wills by me at any time made.

First. I direct that all my just debts, including funeral expenses and expenses of administration be paid by my executor, out of any moneys that may first come into his hands.

Second. I give devise and bequeath to my executor herein named all the residue of my estate both personal and real, in trust, directing and empowering him to collect all moneys and all just claims owing to my estate, and I further direct and empower my said executor to sell all of my property, both personal and real, at such after my death as he shall see fit and either at private or public sale, and either for cash or on credit, just as he see fit and advise the proceeds thereof among my heirs at law, according to the Statute of Decent and distribution of this State.

Lastly. I hereby nominate and appoint W. R. Brown, my son in law with whom I now live, executor of this my last Will and Testament, to act without bond.

In witness whereof I have hereunto set my hand, this 7th day of March 1825.

N. M. Lloyd.

Signed by the said N. M. Lloyd, at and for his last Will and Testament, in the presence of us, the undersigned, who at his request, and in his sight and presence, have subscribed our names hereto as attesting witnesses, the day and date above written.

W. W. Pollock.

T. H. Goodman.

Continued on page 249

State of Tennessee,
Lewis County.

Personally appeared before me, A. J. Olanier, Clerk of the County Court of said County, W. W. Pollock and T. H. Goodman subscribing witnesses to the attached Will who being first duly sworn, depose and say that they were personally acquainted with the within named N. M. Lloyd, the testator, and that he acknowledged the same in their presence to be an act and deed, for the purposes therein contained.

Witness my hand, at office, this 13th day of June, 1825.

A. J. Olanier,
Clerk.

R. W. Grimes }
 His Last Will & Testament } Filed for Probate,
 and Testament } Sept. 10th, 1925.

I, R. W. Grimes of Obshumwald, Lewis County, Tennessee, being in full health, but of sound mind and disposing memory, aware of the uncertainty of life, and the certainty of death, do make and publish this my last will and testament, hereby revoking all former wills by me at any time made.

Firstly, I commend my spirit to my Merciful Creator, and Redeemer and Sanctifier; and, in the hope of a joyful resurrection I commit my body in Christian burial, to the church where it came, directing that it be decently buried in the Graver Cemetery near Obshumwald, according to the directions and discretion of my executor hereinafter named.

Secondly, I direct that all my just debts, including funeral expenses and expenses of administration be paid by my executor.

Thirdly, I give, devise and bequeath to my beloved son, R. W. Grimes, my house and lots now occupied by me as a residence, same being lots eight (8), nine (9) and (10) in Block twelve (12) in the town of Obshumwald, deed to which is recorded in Book "5," page 284 of the records of Lewis County. But this devise is made subject to the homestead right of my beloved wife Sonia Grimes; and also subject to a mortgage of \$369.55 on the above described property, held by the Obshumwald Bank and Trust Company. Now, in willing the above described property to my son R. W. Grimes, I am not unmindful of my other children:

Elmer Beasley, Letha Weaver and L. C. and O. W. Grimes, and would be proud that I were able to help them; but R. W. has been put to quite a lot of expense in the way of supporting me in my old age, and hence, I will think the above described property in part compensation for the expense that he has already been put to and is now being put to in the

way of my support; expense, no part of which, my other above named children are having to bear.

Fourthly, I hereby nominate and appoint J. P. Baker sole executor of this my last will and testament, to act without bond.

In witness whereof I have hereunto set my hand, this the 8th day of July 1925.

R. W. Grimes.

Signed by the said R. W. Grimes, as and for this last will and testament, in the presence of us, the undersigned, who, at his request, and in his sight and presence, have subscribed our names hereto as attesting witnesses, the date above written.

W. O. Lovelace,

A. J. Hamilton.

State of Tennessee, }
 Lewis County, }

Personally appeared before me, J. W. Armstrong, Clerk of the County Court of said County, A. J. Hamilton one of the subscribing witnesses to the attached will who being first duly sworn depose and say that he was personally acquainted with the within named R. W. Grimes the maker and that he acknowledged the same in his presence to be his act and deed for the purposes therein contained. Witness my hand, at office this 10th day of September, 1925.

J. W. Armstrong, Clerk,
 County Court.

State of Tennessee, }
 Lewis County, }

Personally appeared before me, A. J. Hamilton, Clerk of the County Court of said County, W. O. Lovelace, one of the subscribing witnesses to the attached will, who being first duly sworn, depose and say that he is