S.C. Marshall Deceased. Last Will and Testament

THE STATE OF ALABAMA )
HALE COUNTY

In the name of God, Amen:-

I, S. C. Marshall, now residing at Gallion, Hale County, Alabama, being of sound and disposing mind and memory, and desiring to dispose of my property in the manner I wish, do he reby make this my last Will and Testament, hereby revoking all wills heretofore made by me.

First, I direct that all my just debts be paid by mg executor hereinafter name, and that a suitable monument or tomb-stone be placed over my grave to mark my last resting place on this earth.

Second, I give and bequeath all my household and kitchen furniture to my beloved husband, I. A. Marshali.

Third: I give and bequeath to my son, Wilber Harrell, as hereinafter stated, two hundred and sixteen acres of land of my Chambers Place, in pallas County, Alabama, lying near Boguechitto Station on the M & O Railroad. Thetpart of said place I give him lies on the east side of the public road and on which the dwelling house is situated. This land is given and bequeathed to my said son, Wilber, for and during his natural life, and after his death to go to and descend to the heirs of his body.

Fourth: I give and bequeath to my son, C. L. Harrell, for and during his natural life and and after his death to go to and descend to the heirs of his body, Two Hundred and Sixteen acres of land of my Chambers Place in Dallas County, Alabama, lying near BogueChitto Station on the M & O Railroad. The part of said place I give to him is the west side of said place, and being one half of said place, the other one half I have given to my son, Wilber Harrell. Each of them to have the same number of acres, but they are to have the parts of said place as herein stated. My son, C. L. Harrell, is to have the wood on forty acres of woodland from which said wood is to be taken by and to be used by my son C. L. Harrell to be designated and named by my husband I. A. Marshall, if living, and if he should die, then to be designated by the guardian of my son Wilber or some one selected by him.

Fifth: I give and bequeath to my daughter Mrs. M. O. Zimmerman, for and during her natural life, and at her death to descend to the heirs of her body, the following four lots I own in the town of Calera, Shelby County, Alabama; One lot has a seven room house on it; One lot has a five room house on it, and the other two lots are vacant. Said lots shall not be encumbered in any manner by her for any debts due by her or her husband.

Sixth: I desire and direct that my house and lot in the City of Atlanta Georgia, be sold by my executor hereinafter named and the proceeds from the sale thereof be equally divided between my five children, that is between the children of my son, Sidney Harrell, deceased, who are to receive one share; my daughter, Mrs. Sadie Steitglitz, who is to receive one share, my daughter, Mrs. M. O.Zimmerman, who is to receive one share, and my sons, C. L. Harrell and Wilbur Harrell, who are each to receive one share each.

Seventh: The bælance of the property of which I may die seized and possessed, I desire to be divided equally between my said five children, share & share alike.

Eighth: I hereby nominate and appoint my husband, I. A. Marshall as guardian of my son, Wilbur Harrell, who will take charge of the property I have herein given him and have the full control over same. Also he shall have all the authority I can give over both the person and property of my said son, Wilbur Harrell, and I hope he will be an obedient son. I repose full confidence in my said husband & ask that he take special care in bring him up to manhood. In the execution of the said guardianship of my said son, I hereby expressly relieve my said husband of the duty of giving bond as such and direct that no court shall

compell him to give bond in the execution of said trust.

Ninth. I hereby nominate and appoint my beloved husband, I. A. Marshall to be the executor of this my last will and testament, and it is my desire and wish that he be allowed to qualify as such executor and execute this trust without being required to give or make any bond as such executor, as I hereby expressly exempt him from giving such bond and direct that no court compell him to give any bond as my said executor. My said executor is hereby given the power and authority without the intervention or decree of any court to sell and convey & execute good and legal deeds to my property in Atlanta, Georgia, and divide the proceeds between my children as set forth in Section Sixth herein.

 $I_n$  testimony whereof I have hereunto set my hand and seal this the 12th day of November, 1904.

S. C. Marshall (L.S.)

Signed, sealed and published by S. C. Marshall as her last will and testament in our presence and we in her presence and at her request, and in the presence of each other have hereunto subscribed our names as witnesses on the day of the date of said Will.

W. M. Spencer

W. L.Turk

THE STATE OF ALABAMA

HALE COUNTY

Probate Court Jany. Term 1905.

January 20th 1905

In the matter of the Probate of the Last Will and Testament of S. C. Marshall deceased.

Before me W. C. Christian, Judge of Probate in and for said County, personally appeared in open court W. M. Spencer, who having been by me first duly sworn, and examined, did and does depose and say on oath, that he is a subscribing witness to the instrument of writing now shownhim, and which purports to be the last Will and Testament of S. C. Marshall deceased, late an inhabitant of this county; that said S. C. Marshall since deceased, signed and executed said instrument on the day the same bears date, and declared the same to be her last will and testament, and that affiant set his signature thereto on the day the same bears date, as a subscribing witness to the same in the presence of said S. C. Marshall and W. L. Turk, the other subscribing witness, and that such other witness subscribed his name as a witness in his presence and in the presence of said S. C. Marshall. That said S. C. Marshall was of sound mind and disposing memory, and in the opinion of the deponent fully capable of making her will at the time the same was so made as aforesaid. Affiant further states that said S. C. Marshall was on the day of the said date of said Will of the full age of twenty one years and upwards.

W. M. Spencer

Sworn to and subscribed before me this 20th day of January, 1905.

W. C.Christian--Judge of Probate

THE STATE OF ALABAMA ) Probate Court Jany. Term 1905.

HALE COUNTY ) January 20th 1905.

In the matter of the Probate of the Last Will and Testament of S. (C. Marshall deceased. Before me W. C. Christian, Judge of Probate in and for said County, personally appeared in open court W. L. Turk, who having been by me first duly sworn, and examined, did and does depose and say on oath, that he is a subscribing witness to the instrument in writing now shown to him, and which purports to be the last will and testament of S. C. Marshall, deceased, late an inhabitant of this County, that said S. C. Marshall, since deceased, signed and executed said instrument on the day the same bears date, and declared the same to be her last will and testament, and that affiant set his signature thereto, on the day the same bears date as a subscribing witness to the same in the presence of W. M. Spencer, the other

subscribing witness and that such other subscribed his name as aiwithess in his presence and in the presence of said S. C. Marshall. That said S. C. Marshall was of sound mind and disposing memory, and in the opinion of the deponent fully capable of making her will at the time the same was so made as aforesaid. Affiant further states that said S. C. Marshall was on the day of the said date of said Will, of the full age of twenty one years and upwards.

W. L. Turk

Sworn to and subscribed before me his 20 day of Jany. 1905.

W. C. Christian--Judge of Probate

THE STATE OF ALABAMA

HALE COUNTY

I, D. B. Borden, Judge of Probate in and for Hale County, Alabama, do hereby certify that the foregoing is a full, true and correct copy of the Will of S. C. Marshall, as the same is of record in Will Book Volume A of Hale County, Alabama, on pages 458 et seq., together with the proof thereof.

thess my hand and seal of court this the 18th day of March, 1927.

D. B.Borden--Judge of Probate Hale County
Alabama

THE STATE OF ALABAMA )
SHELBY COUNTY )

I, L. B.Riddle Judge of Probate hereby certify that the within Will was filed in this office for record April 5th 1927 at 2 oclock P.M. and recorded in Deed record 81 page 463 and examined.

L. B.Riddle-- Judge of Probate