

#1173

Copy of Will

Will record 33 page 263

State of Alabama)

Jefferson County)

I, Pearl Ponder Ewart, of Birmingham, Alabama, being of sound mind and disposing memory, do hereby declare, publish and make this my last will and testament, hereby specifically revoking all former wills and codicils to wills by me made:

Item I: I direct that my funeral expenses and all of my just debts be paid by my executor as soon after my death as convenient.

Item II: I give and devise to my sister-in-law, Mrs Cleo Strawbridge, of Chicago Illinois, that certain house and lot now known as 5233 First Avenue, North, Birmingham, Alabama, this property fronting fifty feet on the south side of First Avenue and running back about one hundred seventy-five or one hundred eighty feet, of even width, to an alley, provided she survive me; and in the event she should die prior to my death, then I give and devise said property to her husband, Charles Horace Strawbridge, provided he is living at the time of my death; and if he should be dead at the time of my death, then in that event I give and devise said property to the children of the said Charles Horace Strawbridge and Mrs. Cleo Strawbridge; lineal descendants of any deceased child to take per stirpes the share of their deceased parent.

Item III: I give and devise to Andrew Daniel, son of Dr. James Daniel, of Franklin, Georgia that certain lots owned by me situated in the Town of Franklin, Heard County, State of Georgia, known as the J.A. Ponder lot.

Item IV: I give and devise to Robert Dawson for and during the term of his life the property now owned by me known as the Ewart Farm, more particularly described as follows:

Northwest quarter (NW $\frac{1}{4}$) of the southwest quarter (SW $\frac{1}{4}$) of Section 12, Township 18, Range 1 East, and one square acre in the northeast corner of the northeast quarter (NE $\frac{1}{4}$) of the southeast quarter (SE $\frac{1}{4}$), of Section 11, Township 18, Range 1 East, situated in Shelby County, Alabama, and lying about one mile east of the Town of Vandiver in said County, consisting of forty-one (41) acres, more or less.

And upon the death of said Robert Dawson, or if he should die prior to my death, then I give and devise said property to such of the children of Robert Dawson who are living at the time of his death or of my death, whichever shall last occur, share and share alike.

Item V: I give, devise and bequeath all the rest and residue of all property of whatever kind and description and wherever located which I may own at the time of my death, or to which I may be entitled at the time of my death, or to which my estate may become entitled after my death, to Shorter College of Rome, Georgia, to be had and held by said college and its controlling and governing authorities, the income from said property or from the proceeds of said property when and if same shall be disposed of, to be used by said authorities to establish scholarships in such amount and on such terms as may be determined by said authorities for worthy girls born in and living in the State of Georgia who may desire to obtain an education at Shorter College, the kind, character and all details concerning said scholarships to be determined solely in the discretion of the governing authorities of said college.

Item VI: I hereby constitute and appoint as executor of this my last will and testament the Birmingham Trust and Savings Company, a body corporate, of Birmingham, Alabama, and I do hereby expressly exempt my said executor from making bond or filing any inventory of my estate in any court.

In witness whereof, I have hereunto set my hand and seal, this the 2nd day of July, 1935.

Pearl Ponder Ewart

(SEAL)

We, the undersigned, hereby certify that the above named testator subscribed her name to the foregoing instrument in our presence and published and declared the same to be her last will and testament, and we, at the time, at her request, in her presence, and in the presence of each other, have hereunto

subscribed our hands as attesting witnesses:

Grady W. Patterson

Mary Baden Ball

D K McKenny

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Certificate to the Probate of will.

The State of Alabama,
Jefferson County

I, Eugene H. Hawkins, Judge of the Court of Probate, in and for said State and County, do hereby certify that the foregoing instrument, of writing has this day, in said Court, and before me as the Judge thereof, been duly proven by the proper testimony, to be the last genuine last will and testament, of Pearl Ponder Ewart, deceased and that said will together with the proof thereof have been recorded in my office in Book of wills, Vol. #33, page 263-264.

In witness whereof of all I have hereunto set my hand, and the seal of the said Court, this the 7th day of March, 1938.

Eugene H Hawkins, Judge of Probate

The State of Alabama
Jefferson County

Probate Court

I, Eugene H Hawkins, Judge of the Court of Probate, in and for said County, in said State, hereby certify that the foregoing contains a full, true and correct copy of the Last Will and Testament, together with the Certificate of the Probate thereof, in the matter of the Estate of Pearl Ponder Ewart deceased, as the same appears on file and of record, in this office.

Given under my hand and official seal, this the 28th day of May, 1939

Eugene H Hawkins, Judge of Probate

Filed for record in this office April 14th 1941 at 8:30 AM and recorded in deed record 111, page 359 and 360 and examined L C Walker, Judge of Probate.