

The foregoing list giving the names, ages and addresses of the heirs of Walter Mason Sutphin, who died intestate, was this day filed in said Office by Eleanor Sutphin, Administratrix of said intestate, and admitted to record.

Teste:

*M. Correll*  
Clerk.

DAVID LEE GRAHAM'S LIST OF HEIRS  
VIRGINIA, MONTGOMERY COUNTY:

Mabel Ruth K. Graham, Administratrix of the estate of David Lee Graham, deceased, late of the said County, hereby files in the Clerk's Office of the Circuit Court of the said County, from which she received her appointment as such personal representative, the following list containing the names and, so far as possible, the ages and addresses of the heirs of the said David Lee Graham, who died intestate.

NAME	RELATIONSHIP	AGE	ADDRESS
Mabel Ruth K. Graham	Widow	33	Cambrla, Va., Route 1
Joy Drusilla Graham	Daughter	15	Cambrla, Va., Route 1
Mary Ann Graham	Daughter	9	Cambrla, Va., Route 1
Hattie Lee Graham	Daughter	7	Cambrla, Va., Route 1
David Robert Graham	Son	5	Cambrla, Va., Route 1

And the said Mabel Ruth K. Graham hereby makes affidavit that she believes the above list to be true.

MABEL RUTH K. GRAHAM

Subscribed and sworn to before me this 1st day of May, 1946.

A. B. CORRELL, Clerk.

In the Office of the Clerk of the Circuit Court of Montgomery County, May 1, 1946.

The foregoing list giving the names, ages, and addresses of the heirs of David Lee Graham, who died intestate, was this day filed in said Office by Mabel Ruth K. Graham, administratrix of said intestate, and admitted to record.

Teste:

*M. Correll*  
Clerk.

WILL OF WM. H. PALMER, JR.

I, Wm. H. Palmer, Jr. being of sound and disposing mind and memory, do make publish and declare this as and for my last will and testament, hereby revoking all other wills and codicils to wills, by me at any time heretofore made.

Article One. I direct my Executors and Trustees hereinafter named to pay all my just debts as soon as may be practicable.

Article Two. (a) I give and bequeath to Virginia Historical Society my Napoleon Bonaparte Dining Room table, two cellarettes and sideboard, all now in my dining \_ at 319 West Franklin Street Richmond, Virginia or in the basement of said residence, provided the Society accepts them at once; if not I give and bequeath these articles to Mrs. Sallie G. Barton, now residing at Ruxton, Maryland.

(b) I give and bequeath to Mrs. Sallie G. Barton all jewelry owned by me

WB 16, p 236 - Will of Wm H. Palmer, Jr. - 1946  
Mention: Sallie G. Barton, As. Buford, Jr, Va M. Nesbit, Wm H Palmer Leigh, Va Christen Go  
Eliz. Palmer Bevelley, Tena C Schutte, Mrs Jo Willard, Moses Calvin Green, C. Chaubair  
Mary Lewis, John Smith of Mt. View since 1870. Fannie Palmer Barton, Claudia P. Young

at the time of my death at said residence 319 W. Franklin St. Richmond Virginia and in my lock box at State Planters Bank and Trust Company, Richmond, Virginia.

Wm. H. P. Jr.

(c) I also give and bequeath to said Mrs. Sallie G. Barton, any of my personal tangible property in my said residence, except my clothing and the articles left herein to Virginia Historical Society, which she shall select up to a value as appraised not in excess of \$2200.00 for said articles including herein the right to her to select any silver, articles of art, rugs, furniture or other tangible property in said residence, and I give to her also the right to select and include in this paragraph any automobile I may own in Richmond, Virginia.

(d) I give and bequeath to A. S. Buford, Jr. the pictures (both paintings and photographs) of members of his family and forebears, that are not selected by Mrs. Barton.

e. I give and bequeath to Mrs. Virginia K. Nesbit, now residing at Birmingham, Alabama, the residue of my tangible personal property other than clothing at 319 West Franklin St. Richmond, Virginia, all my tangible personal property now in the main residence at Mountain View Farm, near Blacksburg, Virginia, and any automobile there owned by me is to go to her for her personal use.

f. My personal clothing of every kind at 319 West Franklin St. I give and bequeath to my nephew, Ralph Nesbit.

Article Three. I give and bequeath to the following named parties, should each survive me the following amounts:

Wm. H. P. Jr.

(a) To A. S. Buford, Jr. the sum of two thousand dollars (\$2,000.00)

(b) To Ralph Nesbit the sum of two thousand Dollars (\$2,000.00)

(c) To Wm. H. Palmer Leigh, the sum of two thousand dollars (\$2,000.00)

(d) To Virginia Christian Gray, the sum of Two Thousand Dollars (\$2,000.00)

(e) To Mrs. Elizabeth Palmer Beverley, the sum of Two Thousand Dollars (\$2,000.00)

(f) To Mrs. Tena C. Schutte, my fine associate in business for many years, the sum of One Thousand Dollars (\$1000.00)

(g) To Mrs. J. O. Willard of Blacksburg, Va. whose care of Mountain View and her interest in the place is fine, the sum of One Thousand Dollars (\$1,000.00)

(h) I direct my Executors to cancel all the indebtedness owed me by Moses Calvin Green, now my chauffeur, (represented by secured note signed by him and his wife, dated May 11, 1945) and to direct the Trustees in the deed of trust securing said indebtedness to release said property described therein from the lien of said deed of trust.

(i) To my servant, Mary Lewis the sum of Twelve Hundred Dollars at the rate of twenty Dollars per month from the date of my death. Any balance remaining at her death may be used for the payment on her funeral expenses.

(j) To John Smith, blind and helpless, who has been at Mountain View since 1870, and a fine hand and a member of the very best type and family servants, to be paid the sum of Twenty Five Dollars (\$25.00) per month during the remainder of his life, beginning with the date of my death.

Wm. H. P. Jr.

(Article Four) All the rest and residue of my estate, real personal and mixed, and wherever located, I give, devise and bequeath to my Trustees hereinafter named to be by them held managed and operated by said Trustees, subject to the following uses and Trusts:

A. The Trustees shall hold manage and operate all of said property hereinafter sometimes called the Trust Estate, collect the income therefrom and after paying

all costs, charges and expenses and taxes proper to be paid, shall distribute the net income of the Trust Estate periodically and not less than semi-annually as follows:

(a) Twenty Five Hundred Dollars (\$2,500.00) is to be set aside each year for the upkeep and maintenance of the estate of Mountain View, Blacksburg, Virginia, my Mother's Home, built for her to be married in, and in which all of her children were born. My Executors and Trustees to continue this so long as the remaining members of the family or some of them shall go there for their holidays. The distribution of this fund for farm expenses and residence expenses shall be determined absolutely in accordance with his uncontrolled judgment by my nephew, Ralph Nesbit. This contribution shall cease in event the place is sold or divided, and may be discontinued by my Trustees at any time only with the approval and advice of Ralph Nesbit, or in event of his death or refusal to act, my Trustees shall have full discretion in the matter.

(b) One fourth (1/4) of the net income each year shall be paid Mrs. Sallie G. Barton and in event of her death to her daughter, Fannie Palmer Barton, and if she shall die during this trust leaving issue, to her issue per stirpes.

Wm. H. P. Jr.

(c) The balance of the net income in equal parts to Mr. H. Palmer Leigh, Virginia M. Nesbit, Elizabeth Palmer Beverley, Claudia P. Young and the then living issue of Elizabeth P. Gray per stirpes.

(d) This Trust shall continue for a period of Twenty One years from the date of my death.

If during the life of this trust, Sallie G. Barton shall die, and also her daughter Fannie P. Barton shall die leaving no issue, all their interest in the trust shall cease and the payments that would have been made to either of them or the issue of Fannie P. Barton shall become a part of the corpus of the estate. Likewise the payments to be made to any other named beneficiary of this trust shall upon the death of any such named beneficiary, shall be made to the then living issue of such beneficiary ~~shall be made to the then living issue of such beneficiary~~ per stirpes, and upon the failure of such issue during the life of this trust, all payments thereafter that would have been made to such beneficiary of the issue of such beneficiary shall revert and become a part of the corpus of the trust fund.

(e) This trust shall terminate at the expiration of Twenty One Years (21 Years) following my death.

Wm. H. P. Jr.

At that time my Trustees shall make such reasonable provision, as in their judgment with the consent and approval of Ralph Nesbit, or in the sole judgment of my Trustees, as hereinbefore set forth, for the upkeep and maintenance of Mountain View and shall distribute the remainder of the Trust Estate then in existence among the beneficiaries (including the issue of any deceased beneficiaries per stirpes) in the percentage that each beneficiary (including the issue of any deceased beneficiary) was entitled on the last day of said Trust entitled to share in the net income of the Trust Estate, all of each of said shares to be distributed to the parties entitled to receive the same, in fee, free and discharged from all the provisions of this trust.

During the life of this trust, for so long as she shall live therein, and shall pay all taxes thereon as the same shall become due and payable, I direct my Trustees to permit Mrs. Margaret Apperson to occupy my place Kentwood, adjoining Mountain View at Blacksburg, Virginia, and she shall not be required to make any other payment for the use and occupancy of this property.

## Powers of Trustees.

My Trustees hereinafter named shall have full power and authority in their discretion to do any and all of the following:

The Trustees may retain any or all property received as a part of my estate, whether real or personal, and from time to time may sell or exchange all or any part thereof, and invest and re-invest the proceeds, such sales being either at public auction or privately, for cash or credit, and upon such terms and conditions as my Trustees in each case may determine, and no purchaser at any sale by my Trustees shall be required to see to the application of the purchase money.

Wm. H. P. Jr.

My Trustees may lease property or make investments for periods extending beyond the period of this Trust. They may make repairs, alterations, additions or improvements to any property constituting a part of this Trust; They may register and take title to any securities or other property real or personal - a part of this Trust - in the name of any nominee or nominee selected for such purpose without disclosing or describing this Trust.

They may join in any lease, mortgage, consolidation, merger, foreclosure or reorganization of any corporation or other organization, the bonds, stocks or other securities of which constitute a part of this Trust, and they may take, sell or hold any securities or investments issued under any such plan of re-organization and may pay any assessment involved therein.

I recommend to my Trustees that they retain the stock I own at my death in Union Envelope Company, so long as is reasonably practical, and that in voting said stock, my Trustees shall ask for the advice and recommendation of Richard D. Rheuten and Ralph Nesbit both of whom I expect to manage and control said company, and also the advice and recommendation of Wm. Wade Addison, which is entitled to very great weight, and who I would like to succeed me as President of said Company. If any of these parties are unavailable, I wish the advice and recommendation of the others to be requested.

Wm. H. P. Jr.

My Trustees may vote any and all shares of stock contained in this Trust, either in person or by proxy, general or restricted; They may take up or subscribe for any right or exercise any subscription or conversion privilege in any stocks, bonds notes or other securities owned by this Trust; They may hold any securities even after default in the payment of interest or dividends thereon; They may compromise and adjust any claims against or in favor of this Trust upon such terms and conditions as they shall in each case determine; My Trustees may act through agents or attorney; and they may make and execute all instruments necessary and proper in order to carry out the powers conferred herein.

Any and all cash dividends ordinary or extra ordinary shall be considered income and all stock dividends and stock rights shall be considered corpus.

My Trustees may hold all shares of the stock of State-Planters Bank and Trust Company, which I shall own at the time of my death, and shall have the right to exercise all rights to buy additional shares with the right to invest in additional shares, or to sell all or any part thereof as they shall determine.

My Trustees shall have the right to make any division or distribution of the Trust Estate in kind or in money or partly one and partly the other as they shall from time to time determine and the Trustees valuation for such purpose shall be final and conclusive.

Wm. H. P. Jr.

The powers herein mentioned are in furtherance of and in addition to all other powers possessed by my Trustees and in no case a limitation or any other power

possessed, and in no case shall any power of my Trustees be exhausted by the exercise thereof.

I add at this point item (k) as a part of Article Three above as follows:

(k) I give and bequeath to Fannie Palmer Apperson, Blacksburg, Virginia, the sum of One Thousand (\$1,000.00) Dollars in fee.

I hereby nominate and appoint as Executors of this my will, State-Planters Bank and Trust Company, Richmond, Virginia, and R. E. Cabell Richmond, Virginia. I hereby nominate and appoint as Trustees for the Trust created herein, said State-Planters Bank and Trust Company and said R. E. Cabell. In event said R. E. Cabell shall not qualify or having qualified, cease or fail to act either as Executor or as Trustee, or as both, I nominate as his alternates as Executor and his alternates as Trustee Ralph Nesbit and M. Wallace Moncure, Jr. I request that no security on his bond shall be required of the said R. E. Cabell, or the said Ralph Nesbit and M. Wallace Moncure, Jr. for acting either as Executor or as Trustee hereunder and I direct that during the administration of my estate my Executors shall have all the powers, rights and duties that are provided for my Trustees as recited herein.

Wm. H. P. Jr.

I direct my Executors to pay all Estate and inheritance taxes proper to be so paid out of the corpus of my estate so that the income, which is for the maintenance and support of the beneficiaries entitled to receive the same, may begin from the date of my death.

No commissions shall be paid to my Trustees on any part of the corpus of my estate on which commissions shall have been paid to my Executors.

In Witness Whereof, I have signed and sealed this my last will and testament consisting of nine hand written pages each initialed by me together with this 10th page to which I have written my name and seal this 22nd day of February, 1946 at Richmond, Virginia.

Wm. H. Palmer, Jr. (Seal)

Witnesses

Signed, sealed, published and declared by Wm. H. Palmer, Jr. the testator, as and for his last will and testament in the presence of us competent witnesses present at the same time, who at his request, in his presence and in the presence of each other, have hereunto subscribed our names as witnesses this 22 day of February, 1946.

Robert M. Kirkimon, M. D. 828 W. Franklin St. Richmond, Va.

Mary E. Klutz, 1108 W. Franklin St. " "

I, WILLIAM E. PALMER, JR., residing at 319 West Franklin Street, Richmond, Virginia, do hereby make, publish and declare the following to be a codicil to my last will and testament bearing date on or about February 22, 1946:

FIRST: During the life of the trust created under ARTICLE FOUR of my last will and testament I request and direct that when all of the then adult income beneficiaries of said trust shall in writing request a change in any one or more of the trustees of said trust then acting in such capacity, that the Court in which my will is admitted to probate will make such change and shall appoint in place of any trustee or trustees thereby changed the trustee or trustees which all of the then adult income beneficiaries of said trust shall jointly appoint in such capacity, provided that at all times during the life of said trust there shall be one corporate trustee which shall be a bank or trust company of Richmond, Virginia, whose aggregate capital and surplus shall at the time of appointment be in excess of One Million Dollars (\$1,000,000).

Wm. H. R. Jr.

SECOND. During the life of said trust whenever any income beneficiary shall be under the age of twenty-one (21) years, my trustees may pay to or for the account of such minor beneficiary any or all of the income which he or she is entitled to receive without the necessity for the intervention of a guardian and may withhold any part of said income until said beneficiary shall reach the age of twenty-one (21) years when the income so withheld shall be paid to the beneficiary entitled to receive the same; and likewise when under the terms of said trust any portion of the corpus thereof is to be paid to any beneficiary under the age of twenty-one (21) years, my said trustees shall withhold such corpus payment until said beneficiary shall reach the age of twenty-one (21) years, and in the meantime may pay to such beneficiary in whole or in part the income therefrom without the intervention of a guardian, and may likewise in the sole discretion of my trustees when there is any emergency or circumstances requiring such payment, to invade the corpus of the trust for the benefit of said minor beneficiary and make payments therefrom to or for the account of said minor beneficiary without the necessity of the intervention of a guardian.

Corrected  
before  
execution  
Wm. H. P. Jr.

THIRD: I direct that if there shall be included in my estate any notes or obligations of Mr. Ralph Nesbit of Birmingham, Alabama, payment of which is secured on the residence in Birmingham now occupied by Mrs. Virginia M. Nesbit; that no payment of any interest on any of said obligations shall be required of said Ralph Nesbit as long as she or any member of her family shall continue to occupy the said property in Birmingham, Alabama, as a residence.

FOURTH: Except as in this codicil necessarily amended or otherwise modified or altered, my will, dated February 22, 1946, shall continue in full force and effect.

IN WITNESS WHEREOF, I have hereunto placed my hand and seal this 28 day of February, 1946.

William H. Palmer, Jr. (Seal)

Signed, sealed, published and declared by William H. Palmer, Jr., the testator, as and for a codicil to his last will and testament in the presence of us two competent witnesses, present at the same time, who at his request, in his presence and in the presence of each other, have hereunto subscribed our names as witnesses this 28th day of February, 1946.

Ralph Nesbit, Richmond, Va.

Mary Klutz, 1108 W. Franklin St. Richmond

I make, execute and declare this to be a second codicil to my last will and testament.

I give and bequeath to each of the following named persons who shall survive me the sum of One Thousand Dollars (\$1000.00).

To Miss Ethel Comoli; to Mr. George Everett; to Miss Grace Lacy; to Mrs. Louise Wiseman; to Mr. K. D. Rheuten; to Mr. Roy Mann; to Mrs. Virginia M. Nesbit; to Mrs. Margaret D. Nesbit; to Mrs. David W. Barton; to Mrs. Ruth C. Daniel; to Miss Mary Klutz, to Miss Mary Hobgood, to Miss Irene Pond;

I give and bequeath to each of the following named persons who survive me, the sum of Five Hundred Dollars (\$500.00) to Mr. Robert Robertson; to Mr. Robert Cruickshanks; to Miss Rosa Ganzert; to Miss Doris Stone, to Mr. George Hill and to Mr. Henry Howe.

Otherwise I confirm my last will and testament and codicil thereto in every respect, as witness my hand and seal this 21st day of March, 1946.

Wm. H. Palmer, Jr.

Undersigned three competent witnesses, at the request of the testator, in his presence and in the presence of each other have signed our names to this codicil as subscribing witnesses this 21st day of March, 1946.

R. E. Cabell, Mary Klutts, Ruth G. Daniel.

VIRGINIA: IN THE CLERK'S OFFICE OF THE CHANCERY COURT OF THE CITY OF RICHMOND, THE 26TH DAY OF APRIL, 1946.

A paper writing bearing date the 22nd day of February, 1946, purporting to be the last will and testament of William Henry Palmer, Jr., also known as Wm. H. Palmer, Jr., deceased, together with two paper writings bearing dates respectively February 28, 1946 and March 21, 1946, purporting to be codicils thereto, were this day presented to the Clerk by State-Planters Bank and Trust Company and R. E. Cabell the Executors and Trustees named therein, and offered for probate.

It appearing that William Henry Palmer, Jr., resided at Number 319 West Franklin Street in the City of Richmond, within the jurisdiction of this Court, and that he departed this life on the 24th day of March, 1946, - Robert M. Kiskimón and Mary E. Klutts, the subscribing witnesses to the paper writing bearing date the 22nd day of February, 1946, being first duly sworn, severally deposed and said that they were present together at the same time, and in the presence of William Henry Palmer, Jr., when he, the testator, signed, sealed, acknowledged and declared the paper writing to be his will, and that at his request, in his presence, and in the presence of each other, they signed their names as subscribing witnesses thereto; and they further deposed and said that William Henry Palmer, Jr., was over twenty-one years of age, and capable of making a will.

Ralph Nesbit and Mary Klutts, the subscribing witnesses to the paper writing bearing date February 28, 1946, being first duly sworn, severally deposed and said that they were present together at the same time, and in the presence of William Henry Palmer, Jr., when he, the testator, signed, sealed, acknowledged and declared the paper writing to be a codicil to his will, and that at his request, in his presence, and in the presence of each other, they signed their names as subscribing witnesses thereto; and they further deposed and said that William Henry Palmer, Jr., was over twenty-one years of age, and capable of making a will.

Mary Klutts and Ruth G. Daniel, two of the subscribing witnesses to the paper writing bearing date the 21st day of March, 1946, being first duly sworn, severally deposed and said that they, together with R. E. Cabell, the third subscribing witness thereto, were present at the same time, and in the presence of William Henry Palmer, Jr., when he, the testator, signed, acknowledged and declared the paper writing to be a codicil to his will, and that at his request, in his presence, and in the presence of each other, they signed their names as subscribing witnesses thereto; and they further deposed and said that William Henry Palmer, Jr., was over twenty-one years of age, and capable of making a will.

Thereupon the paper writing bearing date the 22nd day of February, 1946, together with the paper writings bearing dates respectively February 28, 1946 and March 21, 1946, are established and together adjudged to be and to constitute the true last will and testament of William Henry Palmer, Jr., deceased, and ordered to be recorded as such.

On the motion of State-Planters Bank and Trust Company and R. E. Cabell, the Executors and Trustees named in the will, they were permitted by the Clerk to qualify as such; thereupon State-Planters Bank and Trust Company, by E. E. Wilson, its Vice-President, and the said R. E. Cabell appeared in the Clerk's Office, made

oath as the law directs, and entered into and acknowledged separate bonds as such Executors of and Trustees under said will in the penalty of Nine Hundred Thousand Dollars, payable and conditioned according to law, but without security, the will directing that no security be required of the said R. E. Cabell, and State-Planters Bank and Trust Company having justified upon the oath of its said Vice-president as to its sufficiency to give such bond without security.

And certificate is granted State-Planters Bank and Trust Company and R. E. Cabell for obtaining a probate of the will in due form.

It is ordered that R. D. Rheutan, C. A. Bean, T. F. Kelley, Jr., A. H. Grundy, and J. E. Hicks, Jr., or any three of them, being first duly sworn for the purpose, do truly and justly appraise in current money the personal estate of William Henry Palmer, Jr., deceased; and also any real estate which the personal representative is authorized by the will to sell, or of which he is authorized to receive the rents and profits, and return their appraisement under their hands as the law directs.

COMMONWEALTH OF VIRGINIA: In the Clerk's Office of the Chancery Court of the City of Richmond:

I, Albert T. August, Clerk of the Chancery Court of the City of Richmond, in the State of Virginia, do hereby certify that the foregoing is a true transcript from the records of said Court and that the powers of the said personal representatives are now in full force and effect.

In Testimony Whereof, I have hereto set my hand and affixed the Seal of the said Court, this 2nd day of May, 1946.

ALBERT T. AUGUST, Clerk.

(Court Seal)

COMMONWEALTH OF VIRGINIA

I, Brockenbrough Lamb, the only Judge of the Chancery Court of the City of Richmond, in the State of Virginia, do hereby certify that Albert T. August, whose name is signed to the foregoing Certificate, is, and was at the time of signing the same, Clerk of said Court, duly qualified; that his attestation is in due form; that his signature is genuine, and that all his official acts are entitled to full faith and credit.

Given under my hand this 2nd day of May, 1946.

BROCKENBROUGH LAMB, Judge.

COMMONWEALTH OF VIRGINIA, In the Clerk's Office of the Chancery Court of the City of Richmond:

I, Albert T. August, Clerk of the Chancery Court of the City of Richmond, in the State of Virginia, do hereby certify that the Honorable Brockenbrough Lamb, whose name is signed to the foregoing Certificate, is, and was at the time of signing the same, the only Judge of the said Court, commissioned and duly qualified.

Given under my hand this 2nd day of May, 1946.

ALBERT T. AUGUST, Clerk.

VIRGINIA, IN THE CLERK'S OFFICE OF THE CIRCUIT COURT FOR THE COUNTY OF MONTGOMERY, 6TH DAY OF MAY, 1946.

A duly authenticated copy of the will and codicils of William H. Palmer, Jr., deceased, and the order showing the probate thereof in the Chancery Court of the City of Richmond, was this day produced in said Office and admitted to record.

Teste:

  
Clerk.