

I, LOUISE J. SMITH, of Lynchburg, Virginia, do make this my last will and testament, hereby revoking all wills and codicils heretofore made by me.

ITEM I - I direct that all my funeral expenses and just debts, with the exception of the debt secured upon the farm owned jointly by my sister and myself, be paid as soon as practicable after my death, and to that end I charge my entire estate.

ITEM II - I direct that I be buried in the cemetery lot in Warrenton, Virginia, owned by my sister and myself, and I devise the sum of \$100.00 to be held by my Executor hereinafter named, in perpetual trust, and invested and re-invested from time to time, the income therefrom to be paid over for the care of said lot to the proper authorities of said cemetery, and in case the said cemetery should at any time hereafter have or establish an association or trust fund for the perpetual care of the said cemetery, then my said Executor is authorized to turn said fund over to such association or trust fund, if my said Executor should at any time deem it wise.

ITEM III - I devise and bequeath to the Randolph-Macon Woman's College, of Lynchburg, Virginia, my collection of antiques, including all old silver, glass and pottery, textiles, etc., and any antique furniture and the mirror in my little studio from which my own portrait was painted; my own portrait, and not in excess of twenty other pictures, which shall be selected by the College out of my own canvasses, and all canvasses by other artists in my possession, and my books of art for the College Library. I desire these antiques and pictures to be kept together as a unit and held as an art exhibit, and to be always open for inspection by the people of Lynchburg. The pictures in this clause given to the College

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are to be selected out of my own canvasses before any of the other selections hereinafter provided for are made, with the exception of the portrait which I give to my brother.

ITEM IV - I devise and bequeath to my brother, T. E. Smith, the portrait which I painted of my father, and one portrait which I painted of my mother, and all of the stock which I own in the Pioche Mine or Mining Company of Nevada.

ITEM V - I devise and bequeath to Mrs. Moselle Hughes, of Flint Hill, Virginia, my interest in the sewing machine located in my old home at Flint Hill and two pieces of furniture in said home, the said two pieces of furniture to be selected by my sister, May E. Smith.

ITEM VI - I devise and bequeath to my sister, May E. Smith, any three of my own pictures which she may desire, now in my home or in my little studio, after the selection has been made by Randolph-Macon Woman's College as above provided, she to select said pictures. I also give to my said sister all of my jewelry, my two very large family tablespoons and any and all interest whatever it may be, which I may have in two lots in Charles Town, West Virginia, and in one lot in Bennington, a suburb of Washington, D. C., which belonged to my father, T. T. Smith, and all my clothing, personal effects and furniture at the home place near Flint Hill, Virginia, not herein otherwise disposed of.

ITEM VII - I own jointly with my sister, May E. Smith, the old home place at Flint Hill, Virginia, and the farm thereto attached, containing 217 acres, more or less, upon which there is outstanding a deed of trust executed jointly by my sister and myself. I devise and bequeath to my said sister, May E. Smith, all my interest in and to the said home place and farm at Flint Hill, Virginia, subject to the deed of

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trust outstanding against the same, which she shall assume, and subject to the following charge:

I devise and bequeath to Hollins College, of Hollins, Virginia, the sum of Five Hundred (\$500.00) Dollars in memory of my mother, Mary Anna Miller, an alumna of said college, to be used for the benefit of the art department of said college preferably in the purchase of a picture for the permanent art collection. I make this devise and bequest as a charge upon my interest in the farm at Flint Hill, above devised to my said sister, which devise to her of the said farm shall take effect in fee simple only when she shall have paid to Hollins College the said sum of \$500.00 for the purposes above set forth.

ITEM VIII - I make the following specific devises and bequests:

To my cousin, Eleanor Pendleton, wife of Dr. William G. Pendleton, the sum of One Thousand (\$1,000.00) Dollars.

To her daughter, Frances Pendleton, my linen chest.

To Ernest Tolbert, of Flint Hill, Virginia, the sum of One Hundred (\$100.00) Dollars, in consideration of his long and faithful services to my family.

To my friend, Mrs. A. B. Thomas, (nee Gertrude Auld) now of 842 Murifield Road. Los Angeles. California. the sum of Two Thousand (\$2,000.00) Dollars; and two of my pictures to be selected by her or someone whom she may designate.

To my friend, Mrs. E. B. Crockett, now of 53 Irving Place, New York City, two of my pictures in my small studio, to be selected by her, or someone whom she may designate.

To my friends, Mrs. R. M. Woodson and Felix Geissler, of Lynnhurst, and Miss Harriet L. Blackwell Spach, one of my pictures to be selected by them. (The above was stipulated before execution)
Louise J. Smith

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to my friend, Mrs. Walter Rogers, now of 2541 Post Street, Jacksonville, Florida, two of my pictures to be selected by her or someone whom she may designate.

To my friend, Mrs. W. J. D. Bell, of Lynchburg, Virginia, one of my pictures to be selected by her.

Any of my friends on the Faculty of the Randolph-Macon Woman's College, who have been associated with me there, shall each be permitted, if they so desire, to select and take one of my canvases or sketches after those devised to friends and to the College as above provided have been selected.

My remaining pictures shall remain in the residuum of my estate.

I give to my cousin, Eleanor Pendleton, of Lynchburg, Virginia, all my clothing, personal effects, books, furniture, silver, etc., (not including, however, any antiques given to Randolph-Macon Woman's College), located at Lynchburg, Virginia, whether at Randolph-Macon Woman's College or elsewhere. Such items are taken out of the residuum of my estate.

If any of the parties above named in this item of my will should pre-decease me, then the bequest to the one so dying shall revert into the residuum of my estate.

ITEM IX - I devise and bequeath all the residue of my estate, real, personal or mixed, wherever situated, including any of my pictures not heretofore disposed of, to The Lynchburg Trust and Savings Bank, of Lynchburg, Virginia, my Executor hereinafter named, to be held by it upon the following trust:

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It is directed to convert all of said estate into cash as soon as possible after my death, without sacrificing the estate, and it shall invest the proceeds of said estate in such securities as it may deem wise, having regard both to the safety of the corpus or principal and the rate of income therefrom. For a term of five years from the date of my death, the income received by my said Executor from said fund shall be invested and re-invested as and for a part of the corpus of said trust fund. After the termination of the said five-year period above provided for, the income from said fund as it is then composed, that is to say, the principal of the fund, together with the accrued income for the five-year period together constituting the whole corpus or principal of the fund, I devise and bequeath to Randolph-Macon Woman's College of Lynchburg, Virginia, to be used from time to time for the Art Department of said College to form a permanent collection of art; the said income shall be used for such purposes only every second year, this provision being made so as to provide enough money before any expenditure to purchase a real work of art. No purchase shall be made except with the written approval of two well recognized experts. My purpose and object in having all contemplated purchases before they are made first approved in writing by well recognized expert judges of pictures and works of art is to keep a high standard of excellence in the things that go into said collection, and to avoid any and all mistakes in the purchase, so far as possible, and I direct the said The Lynchburg Trust and Savings Bank, to rigidly insist upon this requirement.

If at any time The Lynchburg Trust and Savings Bank shall liquidate or go out of business, or shall desire to

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surrender this trust, then the said fund shall be turned over to the Trustees of Randolph-Macon Woman's College, and be held by them as a permanent endowment fund to be invested and re-invested from time to time as other endowment funds of said College are invested, the income therefrom to be used from time to time as above provided.

ITEM X - My said Executor hereinafter named is authorized and empowered to sell, transfer and convey, upon such terms and at such prices as it may deem best, any and all portions of my estate, real, personal or mixed, for the purposes of settling my estate and the distribution of the same as hereinbefore provided, with authority to institute any suit necessary for the partition of the property in which I may own an interest, or for the sale of the same for partition.

ITEM XI - I hereby nominate, constitute and appoint The Lynchburg Trust and Savings Bank of Lynchburg, Virginia, the Executor of this my last will and testament, and request that it be permitted to qualify as such without security.

WITNESS my signature and seal this 26th day of December, 1928.

Louise J. Smith (SEAL)

We, the undersigned, do hereby certify that Louise J. Smith executed the foregoing instrument in our presence and acknowledged the same to be her last will and testament, and we, at her request, in her presence, and in the presence of each other, all three being present together with her, hereunto affix our signatures as witnesses hereof. We further certify that the said Louise J. Smith is of sound mind.

Mary J. Bowling
Rufus Upstain
J. D. Hobbs

Virginia: At Lynchburg Corporation Court, January 10th, 1929.

A paper writing, bearing date on the 20th day of December, 1928, purporting to be the last will and testament of Louise J. Smith, deceased, was produced to the court and proved according to law by the oaths of J. G. Hobbs, Mary F. Cowling and Ruby Upton, the subscribing witnesses thereto, and thereupon the said paper writing was ordered to be recorded as the true last will and testament of the said Louise J. Smith, deceased.

On motion of the Lynchburg Trust and Savings Bank, which by its proper officers, made oath as the law directs, and entered into and acknowledged a bond in the penalty of \$60,000.00, conditioned according to law, without surety as in said will requested, &c, certificate was granted the said Lynchburg Trust and Savings Bank for obtaining a probate of said will in due form. And the said bond was ordered to be recorded.

Ordered that John Victor, W. D. Morgan, Miss Frances Rhodes, A. M. White and R. M. Woodson, or any three of them, after being duly sworn for the purpose, do well and truly appraise the estate whereof Louise J. Smith died seized and possessed, which may be produced or shown to them, and return an inventory thereof, according to law.

Teste: *Hubert H. Martin,*
Clerk.

A Conv. Testa-

Hubert H. Martin, Clerk.

*Filed by leave of court
11-29-57
J. D. M.*

*Filed by leave
of Court
NOV 29 1957.
J. H. M. Clerk*