

- of said trust, to pay the net income arising from such property to the said John B. Marshall for and during the full term of his natural life;

Second, In trust, upon the death of the said John B. Marshall to distribute the corpus of said trust fund to and amongst his children if he shall leave any, share and share alike;

Third, In trust, if the said John B. Marshall shall die leaving no child or children surviving him, then to distribute said property among the persons who may then be entitled thereto under the terms of the will of the said Ann E. Marshall, deceased;

Fourth, In trust, in the event that the said John B. Marshall shall attempt in any way directly or indirectly to encumber said estate or to pledge the income thereof, or in the event that legal proceedings be instituted to divert the principal or income of the trust estate from the purposes herein set forth or to render the proceeds thereof liable for any debt or contract of the said John B. Marshall, then to forthwith transfer such property attempted to be interfered with to the other children of the said Ann E. Marshall upon the terms and conditions set forth in her said last will and testament;

It being fully understood and agreed that we, the said John B. Marshall and William E. Beattie, executors of the said last will and testament of the said Ann E. Marshall, deceased, in our capacity as trustees under said last will and testament, hereby reserve to ourselves and our successors in the trust the full power to invest, sell and reinvest the said trust fund in such property, real or personal, as may in our discretion be for the best interest of said trust estate;

It being fully understood and agreed that neither we, the said executors and trustees, nor our successor or successors in the trust or as such executors shall be liable for loss occurring through error of judgement or for any other cause except dishonesty or gross neglect.

In witness whereof we do hereunto set our hands and seals on this the 6th, day of May, in the year of our Lord one thousand, nine hundred and thirteen and in the one hundred and thirty-seventh year of the Independence of the United States of America.

Signed, sealed and delivered

in the presence of  
Hayne P. Glover,  
Perry Beattie.

Jno. B. Marshall, (L.S.)

W.E. Beattie, (L.S.)  
As executors of the last will and testament of Ann E. Marshall, deceased, and as executors of the last will and testament of L.B. Marshall, deceased.

State of South Carolina,  
County of Greenville.

Personally appeared before me Perry Beattie and made oath that he saw the within named John B.- Marshall and William E. Beattie, as executors of Ann E. Marshall, deceased, and as executors of L.B. Marshall, deceased, sign, seal and as their act and deed deliver the within written declaration of Trust, and that he with Hayne P. Glover witnessed the execution thereof.

Sworn to before me this 6th,  
day of May A.D. 1913.

Jno. T. Turner (L.S.)

Notary Public for South Carolina.



Perry Beattie

Recorded for May 6th, 1913.

State of South Carolina,  
County of Greenville.

Whereas Mrs. Ann E. Marshall, late of said County and State, departed this life on the seventh day of July, A.D. 1910, leaving of full force and effect her last will and testament, bearing date the nineteenth day of April, A.D. 1895, and admitted to probate by the Court of Probate for said County and State on the twenty-fifth day of July, A.D. 1910, and now on file in the office of said Court, in apartment 100, file 18, whereas, after disposing of certain real and personal property, she provided that the residue of her estate (including the lands hereinafter described) should be divided by her executors, either by division of property, or by sale, into as many shares as she might have children living at the time of her death; such shares to go to such children as provided in said will;

And whereas the said Ann E. Marshall appointed John B. Marshall and William E. Beattie executors of her said last will and testament and authorized them to sell at public or private sale any or all of her property, real or personal, and to execute titles therefor; and whereas, letters testamentary were duly issued by said Court to the said John B. Marshall and W.E. Beattie, on the twenty-ninth day of August, 1910, and the said John B. Marshall and W.E. Beattie duly qualified and entered upon the discharge of their duties as such executors;

And whereas the said Ann E. Marshall left the following children living at the time of her death, viz: L.B. Marshall, A. Eliza Marshall, Kitty M. Beattie, John B. Marshall and J. Sproull Marshall; And whereas the said L.B. Marshall departed this life on the fourth day of November, A.D. 1911, leaving of full force and effect her last will and testament, bearing date the eighteenth day of July, 1911, and admitted to probate by the Probate Court for said County and State on the fifteenth day of November, 1911 and now on file in the office of said Court, in apartment 108, file 15, whereby, after disposing of certain real and personal property she devised and bequeathed her residuary estate (including her undivided interest in the lands hereinafter described), to her sisters and brothers, A. Eliza Marshall, Kittie M. Beattie, John B. Marshall and J. Sproull-Marshall, share and share alike. And whereas the said L.B. Marshall appointed the said John B.- Marshall and William E. Beattie executors of her said last will and testament, with full power to sell her lands at public or private sale and to make deeds therefor; and whereas letters testamentary were duly issued by said Court to the said John B. Marshall and W.E. Beattie on the fifteenth day of November, 1911; and the said John B. Marshall and W.E. Beattie duly qualified and entered upon the discharge of their duties as such executors;

And whereas the said John B. Marshall and William E. Beattie, in the exercise of their duties as executors of the said last will and testament of the said Ann E. Marshall, deceased, and as executors of the said last will and testament of L.B. Marshall, deceased, and with the consent and approbation of the said A. Eliza Marshall, Kitty M. Beattie, John B. Marshall and J. Sproull-Marshall, sole surviving residuary devisees and legatees under both of said wills, did partition in kind a certain portion of said residuary estate among said devisees and legatees; and whereas, in such partition, the lands hereinafter described have been allotted to the said J. Sproull-Marshall; to-wit:

All those three certain lots or parcels of land situate, lying and being in the State of South-Carolina and County of Greenville, in the First Ward of the City of Greenville, known and -

(Over)