

THE LAST WILL AND TESTAMENT OF SAMUEL APPLETON.

Be it remembered, That I, Samuel Appleton, of Boston, in the County of Suffolk and State of Massachusetts, merchant, being of sound disposing mind and memory, and in good health, but aware of the uncertainty of life, and desirous of making a disposition of such property as I may leave at the time of my decease, do make, publish, and declare this my last Will and Testament, in manner and form following, to wit:—

To his wife, \$122,000. I give and bequeath to my beloved wife, Mary Appleton, one hundred and thirty thousand dollars, in the manner following, to wit:— Viz. \$100,000.

1st. The sum of one hundred thousand dollars in cash, to be paid to her by my executors.

House, 53, Beacon-street, at \$14,000;

2d. My land and house in Beacon-street, Boston, numbered fifty-three, now occupied by Mrs. Goodwin, and valued by me at fourteen thousand dollars, to hold to her and her heirs.

And \$6000 to put said House in order.

3d. The sum of six thousand dollars in cash to be paid to her by my executors for the purpose of putting said house in good order and condition.

Or the \$20,000 in cash, if she prefers.

If, however, my wife do elect to accept the sum of twenty thousand dollars in cash, instead of said land and house in Beacon-street, and said six thousand dollars, then and in that case it is my will that the sum of twenty thousand dollars in cash be paid to her by my executors.

A clause revoked by the Codicil.

[4th. Any of the plate and furniture belonging to me at the time of my decease, at the appraised value thereof, to the amount of eight thousand dollars.]

Pew, horses, &c., shares in Athenæum, \$2000.

5th. My pew in King's Chapel in Boston, numbered two; also two shares in the Boston Athenæum; also the horses and carriages belonging to me at the time of my decease,—all valued by me at two thousand dollars.

All in lieu of dower.

[13]

The provision thus made for my beloved wife is designed to be in full satisfaction of her right of dower, or thirds, in my estate.

To the children of Isaac Appleton, \$60,000; viz.:—

I give and bequeath to the heirs of my brother Isaac Appleton, of Dublin, State of New Hampshire, the sum of sixty thousand dollars, to be distributed among them in the manner following, to wit:—

To Mrs. Todd, \$3000;

1st. To Mrs. Sarah Todd, of Byron, State of New York, daughter of my brother Isaac Appleton, the sum of three thousand dollars.

And to each of her six children, \$3000.

To the six children of the said Sarah Todd, grandchildren of my brother Isaac Appleton, the sum of three thousand dollars to each and every one of them.

To Mrs. Mary Davis, \$3000;

2d. To Mrs. Mary Davis, of Lee County, State of Illinois, daughter of my brother Isaac Appleton, the sum of three thousand dollars.

And her son, \$3000.

To Cyrus A. Davis, son of the said Mary Davis, grandson of my brother Isaac Appleton, the sum of three thousand dollars.

To Mrs. Kendall, \$3000.

3d. To Mrs. Harriet G. Kendall, of Dublin, State of New Hampshire, daughter of my brother Isaac Appleton, the sum of three thousand dollars.

To her three children, each \$3000.

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To the three children of the said Harriet G. Kendall, grandchildren of my brother Isaac Appleton, the sum of three thousand dollars to each and every one of them.

To David Appleton, \$3000.

4th. To David Appleton, of Dublin, State of New Hampshire, son of my brother Isaac Appleton, the sum of three thousand dollars.

To Joseph's four children, each \$3000; viz. Joseph B., Eugene, Mrs. Bagley, Mrs. Preston.

5th. To Joseph B. Appleton, of Lee County, State of Illinois; to Eugene Appleton; to Mrs. Celestia Bagley; to Mrs. Mary Preston; being the four children of Joseph Appleton deceased, and grandchildren of my brother Isaac Appleton,—the sum of three thousand dollars to each and every one of them.

To Mrs. Sarah Davis, \$3000.

6th. To Mrs. Sarah Davis, of Ashby, State of Massachusetts, daughter of Mrs. Emily Eastabrooks deceased, and granddaughter of my brother Isaac Appleton, the sum of three thousand dollars.

To Mrs. Marr, \$3000.

7th. To Mrs. Mary Jane Marr, of Scarboro', State of Maine, daughter of Samuel Appleton deceased, and granddaughter of my brother Isaac Appleton, the sum of three thousand dollars.

To the children of Dr. Moses Appleton, \$60,000; viz.:

[15]

I give and bequeath to the four children of my late brother, Doctor Moses Appleton, of Waterville, State of Maine, the sum of sixty thousand dollars, to be distributed among them in the manner following, to wit:— Samuel, \$15,000.

1st. To Samuel Appleton, of Waterville, State of Maine, son of my late brother, Doctor Moses Appleton, the sum of fifteen thousand dollars.

Moses L., \$15,000.

2d. To Moses L. Appleton, of Bangor, State of Maine, son of my late brother, Doctor Moses Appleton, the sum of fifteen thousand dollars.

Mrs. Wells, \$15,000.

3d. To Mrs. Ann Louisa Wells, of Portland, State of Maine, daughter of my late brother, Dr. Moses Appleton, the sum of fifteen thousand dollars.

Mrs. Plaisted, \$15,000.

4th. To Mrs. Mary Jane Plaisted, of Waterville, State of Maine, daughter of my late brother, Doctor Moses Appleton, the sum of fifteen thousand dollars.

To Eben Appleton's children, \$60,000; viz.:—

I give and bequeath to the three children of my deceased brother Eben Appleton, the sum of sixty thousand dollars, to be distributed among them in the manner following, to wit:

S.A. Appleton, \$25,000.

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1st. To Samuel A. Appleton, of Boston, son of my deceased brother Eben Appleton, the sum of twenty-five thousand dollars.

Wm. S. Appleton, \$25,000.

2d. To William S. Appleton, of Baltimore, State of Maryland, son of my deceased brother Eben Appleton, the sum of twenty-five thousand dollars.

Mrs. Blatchford, \$10,000.

3d. To Mrs. Caroline F. Blatchford, of Auburn, State of New York, daughter of my deceased brother Eben Appleton, the sum of ten thousand dollars.

To the children of Nathan Appleton, \$60,000; viz.:

I give and bequeath to the six children of my brother Nathan Appleton, of Boston, the sum of sixty thousand dollars, to be distributed among them in the manner following, to wit:— Mrs. Mackintosh, \$10,000.

1st. To Mrs. Mary Mackintosh, daughter of my brother Nathan Appleton, the sum of ten thousand dollars.

Mrs. Longfellow, \$10,000.

2d. To Mrs. Fanny E. Longfellow, daughter of my brother Nathan Appleton, the sum of ten thousand dollars.

Thomas G., \$10,000.

3d. To Thomas G. Appleton, son of my brother Nathan Appleton, the sum of ten thousand dollars.

Harriot, \$10,000.

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4th. To Harriot Appleton, daughter of my brother Nathan Appleton, the sum of ten thousand dollars.

William S., \$10,000.

5th. To William S. Appleton, son of my brother Nathan Appleton, the sum of ten thousand dollars.

Nathan, \$10,000.

6th. To Nathan Appleton, son of my brother Nathan Appleton, the sum of ten thousand dollars.

To Mrs. Barrett's children, \$30,000, viz.:

I give and bequeath to the two children of my sister, Mary Barrett, of New Ipswich, State of New Hampshire, the sum of thirty thousand dollars, to be distributed between them in the manner following, to wit:—

Mrs. Bent, \$15,000.

1st. To Mrs. Mary Narcissa Bent, daughter of my sister Mary Barrett, the sum of fifteen thousand dollars.

Mrs. Spalding, \$15,000.

2d. To Mrs. Dora E. Spalding, daughter of my sister Mary Barrett, the sum of fifteen thousand dollars.

To Mrs. Jewett's son, Isaac A. Jewett, \$30,000.

I give and bequeath to Isaac Appleton Jewett, son of my deceased sister Emily Jewett, the sum of thirty thousand dollars.

To Maria Goodwin, \$7000.

[18]

I give and bequeath to Miss Maria Goodwin, niece of my beloved wife, who has for many years resided in my house as one of my family, the sum of seven thousand dollars.

Mrs. Goodwin, \$1000.

I give and bequeath to Mrs. Maria Goodwin, sister of my beloved wife, the sum of one thousand dollars.

Mary Goodwin, \$1000.

I give and bequeath to Miss Mary Goodwin, daughter of the said Mrs. Maria Goodwin, the sum of one thousand dollars.

Delia Goodwin, \$1000.

I give and bequeath to Miss Delia Goodwin, daughter of the said Mrs. Maria Goodwin, the sum of one thousand dollars.

Rev. E. Peabody, \$5000.

I give and bequeath to my friend and pastor, the Rev. Ephraim Peabody, of Boston, the sum of five thousand dollars.

The servants, \$5000.

I give and bequeath to the servants who may be living with me at the time of my decease the sum of five thousand dollars, to be distributed among them in the manner and [19]according to proportions fixed upon by my beloved wife.

To his Executors, \$200,000 for public uses.

And I do also hereby give and bequeath to my executors hereinafter named—or such of them as shall accept the trust, the survivors or survivor of them, to be by them applied, disposed of, and distributed, for scientific, literary, religious, or charitable purposes—the following manufacturing stocks at their par value, estimated at two hundred thousand dollars, and situated as follows, to wit:—

1st. At Manchester, State of New Hampshire.

Fifty shares in the Amoskeag Manufacturing Company.

Forty shares in the Stark Mills.

Ten shares in the Manchester Print Works.

2d. At Lowell, State of Massachusetts.

Twenty shares in the Merrimac Manufacturing Company.

Twenty shares in the Appleton Manufacturing Company.

Twenty shares in the Hamilton Manufacturing Company.

Twenty shares in the Suffolk Manufacturing Company.

Twenty shares in the Massachusetts Cotton Mills.

My wishes in regard to the particular institutions or objects to which the aforesaid manufacturing stocks are to be applied, and also the time and mode of the application thereof, I [20]intend to make known to my executors; and I feel sure that they will strictly comply with the same; and, in default of any such directions from me, I have confidence in their making such a disposition and distribution of said property as they will think would be most likely to meet my approbation.

Powers of sale, &c.

Estate to be settled in 2 years.

I hereby fully authorize and empower and direct my executors hereinafter named, or such of them as shall accept the trust, the survivors or survivor of them, or any administrator on my estate, to sell and convey at public auction, or by private sale, at such times and on such conditions as they shall judge best, any and all estate and property, real, personal, and mixed, of which I may die seized or possessed, saving and excepting only such as herein is specifically given to my beloved wife; and likewise the said land and house devised to my beloved wife, in case she shall elect not to take the same; and to make and deliver good and sufficient conveyances and transfers thereof; the purchasers to be in nowise bound to see to the appropriation of the purchase-money: it being my wish that my estate should be settled as [21]soon as convenient after my decease, and, if practicable, within two years thereafter.

Residue to his nephews, nieces, &c. in sums corresponding to their specific bequests respectively.

If, after the conversion of the residue of my estate into money, and the payment of all my debts, and the distribution and payment of all the bequests in this my Will, contained in accordance with the foregoing dispositions, any residue should remain, it is my will that the amount of said residue be distributed among the children and grandchildren of my brother Isaac Appleton, and among the children of my late brother Doctor Moses Appleton, and among the children of my deceased brother Eben Appleton, and

among the children of my brother Nathan Appleton, and among the children of my sister Mary Barrett, and of my deceased sister Emily Jewett, hereinbefore named, in proportions corresponding to the amounts or sums which said heirs are respectively entitled to receive by virtue of the original dispositions in this my Will.

No legacy to lapse by death of legatee.

If any of the legatees named in this Will should die in my lifetime, then and in that case, whatever is herein given to such legatee I give to and among those who at my decease may be heirs-at-law of such legatee by the [22]Statute of Distributions of this Commonwealth, as to any real estate of which said legatee should then have died seized.

Liability of Executors.

I direct that my executors shall each be liable only for his own actual receipts and his own wilful defaults, and not the one for the other or others.

Executors named.

I appoint Nathan Appleton, William Appleton, Nathaniel Ingersoll Bowditch, and Isaac Appleton Jewett, to be the executors of this my last Will and Testament, hereby revoking all Wills by me heretofore made.

In witness whereof, I have hereunto set my hand and seal on this twenty-eighth day of February, in the year of our Lord one thousand eight hundred and fifty-one.

(Signed) SAML. APPLETON [AND A SEAL].

Signed, sealed, published, and declared by said Testator to be his last Will and Testament, in presence of us, who, at his request, and in his presence, and in presence of each other, have hereunto set our names as witnesses.

JOSEPH TILDEN.

MOSES L. HALE.

FRANKLIN H. STORY.

FOOTNOTES:

[3]One of these children died before the Testator. The father, as his heir, is entitled to his share, by a subsequent provision of the Will.

[23]

CODICIL.

I, SAMUEL APPLETON, of Boston, in the County of Suffolk, and State of Massachusetts, merchant, having further considered my last Will and Testament, bearing date the twenty-eighth day of February, in the

year of our Lord one thousand eight hundred and fifty-one, do think proper to make and publish the following as a Codicil thereunto.

Revokes a clause of the Will;

I do hereby revoke and cancel that clause in said last Will and Testament, giving unto my beloved wife "any of the plate and furniture belonging to me at the time of my decease, at the appraised value thereof, to the amount of eight thousand dollars;" and in lieu thereof I do make the following dispositions:—

And gives to widow his mansion-house, 37, Beacon-street,

[24]

I give and devise unto my beloved wife the dwelling-house, with the stables, lands, and appurtenances thereunto belonging, now occupied by me, being the dwelling-house numbered thirty-seven in Beacon-street, Boston, to have and to hold the same to her, her heirs and assigns for ever.

And all the plate, &c. therein.

And I do also give and bequeath unto my beloved wife all the plate, furniture, pictures, statuary, books, stores, and other household articles, belonging to me at the time of my decease; and it is my wish that no inventory be taken of the same.

Legatees may take property at appraisement, &c.

And it is also my wish that each and every of the legatees, in said last Will and Testament named, may, with the advice and consent of my executors, take, in lieu of the money to which they are entitled by said last Will and Testament, any of the property, left by me at the time of my decease, at the appraised value thereof.

Bonds of Executors to be only in a penalty adequate to protect creditors.

And I do also direct that the executors of my said last Will and Testament shall give bonds in such sum only as the Judge of Probate may consider sufficient for the payment of the amount of my debts.

[25]In witness whereof, I have hereto set my hand and seal, this eighth day of October, in the year of our Lord one thousand eight hundred and fifty-two.

(Signed)

SAML. APPLETON [AND A SEAL].

Signed, sealed, published, and declared by said Testator to be a Codicil to his last Will and Testament, in presence of us, who, at his request, and in his presence, and in presence of each other, hereto set our names as witnesses.



JOSEPH TILDEN.

FRANKLIN H. STORY.

FRANCIS C. LOWELL.

RECAPITULATION.

To the widow (by the Will), \$108,000 in personal property, and \$14,000 in real estate; or all in personal property, at her option; and (by the Codicil), his mansion-house, and all in it; of the value of \$200,000

To the descendants of each of his four brothers (Isaac, Moses, Eben, and Nathan Appleton), \$60,000. To the descendants of each of his two sisters (Mary Barrett and Emily Jewett), \$30,000. In all 300,000

To Maria Goodwin, \$7000; her mother and two sisters, \$1000 each

10,000 To Rev. Ephraim Peabody, \$5000; and to the servants in the family, \$5000

10,000 To public uses

200,000

All the residue to the said descendants of his brothers and sisters, in sums corresponding to their respective specific bequests. The residuary legatees will be therefore entitled to claim in the following proportions, viz.:—

[30]Isaac Appleton's Descendants, \$60,000 out of \$300,000, or 1/5; viz.:—

1. Mrs. Sarah Todd, wife of James B. Todd, of Byron, N.Y., a legatee of \$3000, has

1/100

2. Isaac A. Todd, of Byron, N.Y.

1/100

3. Mrs. Rachel D. Moore, wife of Tom Moore, of Medina, Michigan

1/100

4. Mrs. Emily A. Hall, wife of Alfred D. Hall, of Sheridan, Calhoun County, Michigan

1/100

5. Dr. Daniel Todd, of Canandaigua, Lenawee County, Michigan

1/100

6. Samuel A. Todd, a minor, of Byron, N.Y.

1/100

7. Francis James Todd, a minor, of Byron, N.Y.

1/100

8. Mrs. Mary Davis, now wife of Asa Holt, of Ashby, Mass.

1/100

9. Her son, Cyrus A. Davis, of Palestine Grove, Lee County, Illinois

1/100

10. Mrs. Harriet G. Kendall, wife of Rev. Henry A. Kendall, of Concord, N.H.

1/100

11. Her husband, as heir of a deceased daughter

1/100

12. Their minor son, Henry Kendall

1/100

13. Their minor son, Samuel Kendall

1/100

14. David Appleton, of Dublin, N.H.

1/100

15. Joseph B. Appleton, of Palestine Grove, Lee County, Illinois

1/100

16. Eugene F. Appleton, fifteen years old, of New Ipswich, N.H.

1/100

17. Mrs. Celestia Bagley, wife of Gilman Bagley, of Sharon, N.H.

1/100

18. Mrs. Mary Preston, wife of Edward F. Preston, of New Ipswich, N.H.

1/100

19. Mrs. Sarah Davis, wife of John U. Davis, of New Ipswich, N.H.

1/100

20. Mrs. Mary Jane Marr, wife of Dennis W. Marr, of Portland, Maine

1/100

Moses Appleton's Children, \$60,000 out of \$300,000, or  $\frac{1}{5}$ ; viz.:—

21. Samuel Appleton, of Waterville, Maine, a legatee of \$15,000, has

$\frac{1}{20}$

22. Moses L. Appleton, of Bangor, Maine

$\frac{1}{20}$

23. Mrs. Ann Louisa Wells, wife of Hon. Samuel Wells, of Portland, Maine

$\frac{1}{20}$

24. Mrs. Mary Jane Plaisted, wife of Dr. Samuel Plaisted, of Waterville, Maine

$\frac{1}{20}$

Eben Appleton's Children, \$60,000 out of \$300,000, or  $\frac{1}{5}$ ; viz.:—

25. Samuel A. Appleton, of Boston, being a legatee of \$25,000, has

$\frac{1}{12}$

26. William S. Appleton, of Baltimore, M.D.

$\frac{1}{12}$

27. Mrs. Caroline F. Blatchford, wife of Samuel Blatchford, of Auburn, N.Y., a legatee of \$10,000

$\frac{1}{30}$

Nathan Appleton's Children, \$60,000 out of \$300,000, or  $\frac{1}{5}$ ; viz.:—

28. Mrs. Mary Mackintosh, wife of His Excellency Robert James Mackintosh, Governor of the Island of Antigua, &c. a legatee of \$10,000, has

$\frac{1}{30}$

29. Mrs. Fanny E. Longfellow, wife of Prof. Henry W. Longfellow, of Cambridge, Mass.

$\frac{1}{30}$

[32]30. Thomas G. Appleton, of Boston

1/30

31. Harriot Appleton, of Boston, a minor

1/30

32. William S. Appleton, of Boston, a minor

1/30

33. Nathan Appleton, of Boston, a minor

1/30

Mrs. Barrett's and Mrs. Jewett's Children, \$60,000 out of \$300,000, or 1/5; viz.:—

34. Mrs. Mary Narcissa Bent, wife of Samuel W. Bent, of Middlebury, Vt., a legatee of \$15,000, has

1/20

35. Mrs. Dora E. Spalding, wife of Dr. Edward Spalding, of Nashua, N.H.

1/20

36. Isaac Appleton Jewett's half-sister and heir-at-law, Mrs. Harriet E. Ide, wife of Dr. William E. Ide, of Columbus, Ohio, a legatee of \$30,000

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SOURCE:Title: The Will of Samuel Appleton, with Remarks by One of the Executors by Samuel Appleton.  
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