

LAST WILL AND TESTAMENT OF CHAS. W. WALKER LATE OF SUFFOLK COUNTY MASS.
DECEASED.

BE IT REMEMBERED: THAT I, Charles W. Walker, of Boston in the County of Suffolk and Commonwealth of Massachusetts, being of sound and disposing mind and memory, but knowing the uncertainty of this life, do make and declare this to be my last will and testament, hereby revoking all wills heretofore made by me.

First. It is my will that my Executrix hereinafter named, as soon after my decease as convenient pay all my just debts and funeral charges.

Second. I give, bequeth and devise all the rest, residue and remainder of my estate, which I may die possessed of, or may in any way be entitled to, of every name and nature, real, personal and mixed, wheresoever the same may be situated to my wife Elizabeth Walker, - my daughter Bertha Harwood Walker, - and my daughter Grace Alice Walker, in equal parts, - one third each, - share and share alike.

But with this additional condition, that whereas there is an Insurance upon my life, made on the endowment plan in the sum of Ten Thousand Dollars, payable in fifteen years from the twenty fourth day of January Eighteen Hundred and Eighty Five and payable to my wife in case of my decease before the maturity of said policy, it is my will that in making the division of my residuary estate between my said wife and my said daughters, if said amount of Insurance becomes payable to my wife by its terms, by my death, two thirds of Ten Thousand Dollars the amount of said Insurance money, shall be deducted from my wife's share.

My intention being, that my said wife and daughters shall ultimately receive amounts exactly equal respectively to one third of my residuary estate proper, and said Insurance money.

Third. If however my said wife Elizabeth should not be living at my decease, then I give, devise and bequeth my entire estate, real, personal and mixed to my two daughters, Bertha Harwood and Grace Alice in equal parts, share and share alike.

Fourth. If however either of my said daughters should die before my decease, then I give devise and bequeth my entire estate real, personal and mixed to my said wife and my surviving daughter in equal parts, share and share alike.

But with this additional condition, - That whereas, there is an Insurance upon my life, made on the endowment plan in the sum of Ten Thousand Dollars, payable in fifteen years from the Twenty Fourth day of January Eighteen Hundred and Eighty Five and payable to my wife in case of my death before the maturity of said policy, it is my will that in making the division of my residuary estate between my said wife and my surviving daughter, if said amount of Insurance becomes payable to my wife by its terms, by my death, one half of Ten Thousand Dollars, the amount of said Insurance money shall be deducted from my wife's share.

My intention being, that my said wife and surviving daughter, shall ultimately receive amounts exactly equal, respectively to one half of my residuary estate proper and said Insurance money.

Fifth. I hereby authorize and empower my executrix hereinafter named, if in the performance of the duties required, it becomes in her opinion necessary or expedient, to sell at public or private sale, any part or all of my estate, real or personal, and to execute and deliver proper and sufficient deeds and instruments to convey and transfer the same.

Sixth. I nominate my said wife Elizabeth Walker to be the Executrix of this my will, But if my said wife should not be living at my death then I nominate my said daughter Bertha Harwood to be the executrix of this my will, and I request that my said executrix be exempt from giving a surety or sureties on any and all bonds that may be required of such executrix.

In testimony whereof I hereunto set my hand and seal, and in the presence of three witnesses declare this to be my last will this Fifth day of January in the year of our Lord Eighteen Hundred And Ninety Five.

Charles W. Walker, (Seal.)

On this fifth day of January in the year of our Lord eighteen hundred and ninety five, Charles W. Walker of Boston in the County of Suffolk and Commonwealth of Massachusetts, signed the foregoing instrument in our presence, declaring it to be his last will, and as witnesses thereof we three do now at his request, in his presence, and in the presence of each other hereto subscribe our names.

TO THE HONORABLE THE JUDGE OF THE PROBATE COURT IN AND
FOR THE COUNTY OF SUFFOLK:

RESPECTFULLY represents Elizabeth Walker of Boston in the County of Suffolk that Charles W. Walker (occupation) Merchant who last dwelt in said Boston (street and No.), at 33 Melville Avenue died on the Twenty-first day of April in the year of our Lord one thousand nine hundred and three possessed of goods and estate remaining to be administered, leaving as widow his only heirs at law and next of kin, the persons whose names, residences and relationship to the deceased are as follows, viz.:

NAME.	RESIDENCE.	RELATIONSHIP.
Elizabeth Walker	33 Melville Avenue,	Widow.
Bertha H. Walker	33 Melville Avenue,	Daughter.
Mrs. Grace A. Cormerais,	25 Castle Gate Road Boston,	Daughter.

That said deceased left a will herewith presented, wherein your petitioner is named executrix and wherein the testator has requested that your petitioner be exempt from giving a surety on her bond.

Wherefore your petitioner prays that said will may be proved and allowed and letters testamentary issued to her, without giving a surety on her official bond, and certifies that the statements herein contained are true to the best of her knowledge and belief.

Dated this Twenty-Eighth day of April A. D. 1903.

Elizabeth Walker

Suffolk, SS. Subscribed and sworn to this Twenty-Eighth day of April A. D. 1903. Before me, Samuel H. Wentworth, Justice of the Peace.

The undersigned, being all the persons interested in the estate who are of full age and legal capacity, other than creditors, and the guardians of persons interested therein, hereby consent that the above named petitioner be exempt from giving any surety on her bond.

COMMONWEALTH OF MASSACHUSETTS.

SUFFOLK, SS.

PROBATE COURT.

To the heirs at law, next of kin and all other persons interested in the estate of Charles W. Walker, late of Boston, in said County, deceased.

WHEREAS? a certain instrument purporting to be the last will and testament of said deceased has been presented to said court for probate by Elizabeth Walker, of said Boston, who prays that letters testamentary may be issued to her, the executrix therein named, without giving a surety on her official bond:

You are hereby cited to appear at a Probate Court, to be held at Boston, in said County of Suffolk, on the Fourteenth day of May A. D. 1903 at ten o'clock in the forenoon, to show cause, if any you have, why the same should not be granted. And said petitioner is hereby directed to give public notice thereof, by publishing this citation once in each week, for three successive weeks, in the Boston Traveler, a newspaper published in said Boston, the last publication to be one day, at least before said Court, and by mailing, post-paid, or delivering a copy of this citation to all known persons interested in the estate seven days at least before said Court.

Witness, John W. McKim, Esquire, Judge of said Court, this Twenty-Eighth day of April in the year One Thousand Nine Hundred and Three.

Elijah George, Registrar.

I have served the above citation as therein ordered by publication, all persons interested have accepted service in writing.

Samuel H. Wentworth.

suffolk S S. 11 May A. D. 1903. Then personally appeared-----and made oath that the above return by him subscribed is true.

Before me,

Eugene Tappan, Justice of the Peace.

COMMONWEALTH OF MASSACHUSETTS.

SUFFOLK? SS.

PROBATE COURT.

To the heirs-at-law, next of kin and all other persons interested in the estate of Charles W. Walker late of Boston, in said County, deceased.

WHEREAS? a certain instrument purporting to be the last will and testament of said deceased has been presented to said Court, for probate, by Elizabeth Walker of said Boston who prays that letters testamentary may be issued to her, the executrix therein named, without giving a surety on her official bond:

You are hereby cited to appear at a Probate Court, to be held at Boston, in said County of Suffolk, on the fourteenth day of May A.D. 1903, at ten o'clock in the forenoon, to show cause, if any you have, why the same should not be granted. And said petitioner is hereby directed to give public notice thereof, by publishing this citation once in each week, for three successive weeks, in the Boston Traveler, a newspaper published in said Boston, the last publication to be one day, at least before said Court, and by mailing, postpaid, or delivering a copy of this citation to all known persons interested in said estate, seven days at least before said Court.

Witness, John W. McKim, Esquire, Judge of said Court, this twenty-eighth

day of April in the year one thousand nine hundred and three.
ELIJAH GEORGE? Register.

We accept service of the above citation.
Bertha H. Walker,
Grace A. Cormerais,

COMMONWEALTH OF MASSACHUSETTS.

SUFFOLK? SS. At Probate Court holden at Boston, in and for said County of Suffolk, on the fourteenth day of May in the year of our Lord one thousand nine hundred and three. ON the petition of Elizabeth Walker of Boston, in said County, praying that the instrument therewith presented, purporting to be the last will and testament of Charles W. Walker late of Boston, in said County of Suffolk, deceased, may be proved and allowed, and letters testamentary issued to her the executrix therein named; without giving a surety on her bond; and the heirs-at-law, next-of-kin and all other persons interested, having been notified, according to the order of the Court, to appear and show cause, if any they have, against the same; and no party objecting thereto, and it appearing that said instrument is the last will and testament of said deceased, and was legally executed, and that said testator was, at the time of making the same, of full age and sound mind; and that said petitioner is a competent person to be appointed to said trust;

It is therefore decreed that said instrument be approved and allowed as the last will and testament of said deceased, and letters testamentary be issued to said petitioner, She first giving bond without securities, for the due performance of said trust.

John W. McKim, Judge of Probate Court.

KNOW ALL MEN BY THESE PRESENTS; That I, Elizabeth Walker of Boston in the Commonwealth of Massachusetts, am holden and stand firmly bound and obliged unto John W. McKim, Esquire, Judge of the Probate Court in and for said County of Suffolk, in the full and just sum of One hundred and fifty thousand dollars, to be paid to said Judge and his successors in said office; to the true payment whereof I bind myself and my heirs, executors and administrators, by these presents. Sealed with my seal, and dated the fourteenth day of May in the year of our Lord one thousand nine hundred and three.

The condition of this obligation is such, that if the above-bounden Elizabeth Walker executrix of the last will and testament of Charles W. Walker, late of said Boston, deceased, testate, shall

First, make and return to said Probate Court, within three months after her appointment, a true inventory of all the real and personal estate of said deceased which at the time of the making of such inventory shall have come to the possession or knowledge of said executrix;

Second, administer according to law and to the will of said deceased all the personal estate of said deceased which may come to the possession of said executrix, or of any person for her, and also the proceeds of any of the real estate of said deceased that may be sold or mortgaged by said executrix; and

Third, render upon oath, a true account of her administration at least once a year, until her trust is fulfilled, unless she is excused therefrom in any year by said Court, and also render such account at such other times as said Court may order; Then this obligation to be void, otherwise to remain in full force and virtue.

Signed, sealed and delivered) Elizabeth Walker, (Seal.)
in presence of)
Samuel H. Wentworth.)

SUFFOLK? SS. May 14. A. D. 1903. Examined and approved.

John W. McKim, Judge of Probate Court.

I Elizabeth Walker, the within named executrix declare that to the best of my knowledge and belief, the estate and effects of the within named deceased do not exceed in value the following mentioned sums, viz.

Real estate \$27,000.
Personal estate \$63,000.

(Signed) Elizabeth Walker.

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS.

(SEAL)

PROBATE COURT.

To Elizabeth Walker of Boston in the County of Suffolk and commonwealth aforesaid.

You are appointed executrix of the last will and testament of Charles W. Walker late of Boston, in said County of Suffolk, deceased, testate, which will was proved and allowed on this day, by said Court, and is now of record in this Court. And you are required to make and return into said Probate Court, within three months from the date hereof, a true inventory of all the real and personal estate of said deceased which at the time of making of such inventory shall have come to your possession or knowledge; To administer, accord-

ing to law and to the will of said deceased, all the personal estate of said deceased which may come to your possession, or that of any person for you, and also the proceeds of any of the real estate of said deceased that may be sold or mortgaged by you;

To render, upon oath, a true account of your administration, at least once a year, until your trust is fulfilled, unless excused therefrom, in any year, by said Court;

And, also, within three months, to cause notice of your appointment to be published once in each week for three successive weeks in The Boston Traveler a newspaper published in said Boston, and return your affidavit of having given such notice, with a copy thereof, to the Probate Court.

Witness, John W. McKim, Judge of said Court, at Boston, this Fourteenth day of May in the year of our Lord One Thousand Nine Hundred and Three.

Elijah George, Register.

COMMONWEALTH OF MASSACHUSETTS.

SUFFOLK, SS.

REGISTRY OF PROBATE.

I, ELIJAH GEORGE, Register of the Probate Court in and for the County of Suffolk, having by law the custody of the seal and all the records, books, documents, and papers of or appertaining to said Court, and on file or of record in the Office of said Court, to-wit:- the last will and testament of Charles W. Walker late of Boston, in said County, deceased,- the petition to said Court for the probate of said will,- the orders of notice on said petition the decree of said Court admitting said will to probate,- the bond given to said said Court by the executor of said will,- and the Letters Testamentary issued to said executor.

And I further certify that the proof of said will in said Court, was by oral testimony only, and that there are no proofs or substance of proofs on file or of record in said Court.

In witness whereof, I have hereunto set my hand and the seal of said Court, this Tenth day of May in the year of our Lord One Thousand Nine Hundred and Five.

(Seal)

Elijah George, Register

COMMONWEALTH OF MASSACHUSETTS.

SUFFOLK, SS.

PROBATE COURT.

I, JOHN W. McKIM, esquire, Judge of the Probate Court within and for the County of Suffolk, hereby certify that ELIJAH GEORGE, Esquire, whose signature is affixed to the annexed certificates and attestation, is the Register and proper Certifying Officer of said Court, and has, by law, the custody of the seal, and that said certificates and attestation are in due form and entitled to full faith and credit.

In witness whereof I have hereunto set my hand, this Tenth day of May in the year of our Lord One Thousand Nine Hundred and Five.

John W. McKim, Judge of Probate Court.

COMMONWEALTH OF MASSACHUSETTS.

SUFFOLK, SS.

REGISTRY OF PROBATE.

I, ELIJAH GEORGE, Esquire, Register of the Probate Court within and for the County of Suffolk, hereby certify that JOHN W. McKIM, Esquire, whose signature is affixed to the annexed certificate, is the first Judge of said Court, duly commissioned and qualified, and that his said certificate is in due form, and entitled to full faith and credit.

In witness whereof, I have hereunto set my hand, and affixed the seal of said Court, this Tenth day of May in the year of our Lord One Thousand Nine Hundred and Five.

(SEAL)

Elijah George, Register.

Georgia, Marion County.

June 21st, 1905.

Filed in Ordinary's Office, said County,

Marion County Will Bk A

1846-1915

RECORDED,

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John B. Rutt Ordinary.