

In The Name of God, Amen.

No. 329

I, Henry S. Vail, of the City of Highland Park, Co. of Lake and State of Illinois, being of sound mind and disposing memory, and considering the uncertainties of this frail and transitory life, do hereby make, ordain, publish and declare this

My Last Will and Testament.

hereby revoking all wills by me at any time made, and any codicils heretofore by me made and revoked.

In making this, My Last Will and Testament it is my intention and earnest desire that the bequest of my property to my wife and my different children after my wife's death, and their respective interests may appear, my wife being my sole beneficiary as long as she shall survive me, that the bequest be received as a gift and not a partition of property, and for that reason it may disregard equities as it is my wish to so arrange my estate that it will be to the interest of my wife and my children, after my death, as far as possible, to remain together in a community life, that they may live close together, and thereby perpetuate the social and intimate intercourse which has always existed between my immediate family.

If, on a superficial view, it would seem that some inequity has been done, it should be kept in mind that I have always had in view the larger aspect of life and the ultimate happiness of my children, and have sought to aid those who have most needed my aid, and who, from the circumstances of each individual case, are most in need of my assistance.

I, therefore, hope that my heirs and legatees will have in view this larger aspect and intention as evidenced by My Last Will and Testament and will appreciate that what I have done has been done through a deep sense of devotion and far sighted policy to keep together on terms of harmony and peace.

First: I order that my Executrix, or in the event of her death, my Executors hereinafter named, pay all my just debts and funeral expenses in a liberal manner out of a fund that I have set aside for that purpose, as soon after my decease as may conveniently be done.

Second: I hereby give, devise and bequeath to my wife's niece, Isabel Gallagher Wilde, the sum of Two hundred fifty dollars (\$250).

Third: I hereby give, devise and bequeath to the Chicago Commons the sum of One thousand Dollars (\$1,000), Five hundred Dollars (\$500) of which sum to be used and expended for children's outings, and the balance of Five hundred Dollars (\$500) to go to the general fund of said Chicago Commons.

Fourth: I hereby give, devise and bequeath to the Trustees of the National League for Life Assurance Education a sum not to exceed Fifty Dollars (\$50) per month for five (5) years, to be paid only if requested by the said Trustees and in the event that said organization shall continue to carry out actively the objects and purposes of said League as originated by me.

Fifth: All of the rest, residue and remainder of my estate of whatever kind and description, both real, personal and mixed, of which I may die seized, I do hereby give, devise and bequeath to my dearly beloved wife, Jennie C. Vail, and my sons, Carleton M. Vail, Roger S. Vail, and Malcolm D. Vail, to each of them as may accept this Trust, as Trustees, and to the survivor or survivors of them as Trustees, in trust, however, upon the following trusts. In the event of my death prior to the death of my wife, the said trust estate hereby created shall continue during the life of my wife and shall terminate at her death, and when she shall sooner terminate it under the provisions of this My Last Will and

Testament. In the event that I survive her, I direct that the said Trust estate herein created shall be kept alive and shall continue for a term of ten (10) years from the date of my death.

I hereby empower my Trustees, or such of them as qualify as Trustees, or the survivor of them, to invest, reinvest, grant, alien, bargain, sell, convey, lease, or otherwise handle and control the said Trust estate as they shall deem fit or necessary for the best interests of said Trust estate; and I particularly authorize the said Trustees to invest such of my property as they deem advisable in loans upon the security of life insurance policies.

(a) I direct that my Trustees pay out of my trust estate to Sarah Vail Thompson the sum of Two hundred fifty dollars (\$250) immediately after my death, or as soon thereafter as possible.

I further direct that they pay to her Twenty-five dollars (\$25) per month until they have paid to her a total sum of not to exceed One thousand five hundred dollars (\$1500); said payments, however, to cease upon her death.

(b) I direct that my Trustees pay out of my trust estate to Mattie Vail Ashley the sum of Two hundred fifty dollars (\$250) immediately after my death, or as soon thereafter as possible.

(c) My daughter, Ceile Vail Follanshee, has received certain insurance on my life payable direct to her and a residue of certain inheritments first payable to my wife, also a gift of sixty-five (65) feet of land and a house, which house I hereby value at Eight thousand dollars (\$8,000) in Highland Park, Illinois, it is my wish and desire that upon the distribution of my trust estate said Eight thousand dollars shall be considered as an advancement on of her interest in said trust, and her interest shall be reduced by that amount.

(d) In regard to the real estate owned in lot sixteen (16), lot seventeen (17) and lot eighteen (18),

twenty-four (24) of my Highland Park, Illinois, property, it has never been regarded as an investment from a commercial standpoint, but rather to provide homes for the several members of my family; to this end I desire that each child, after the death of my wife, should she survive me, should have, in fee simple, the number of feet hereafter stated out of the property above described, with limitations as stated in the deeds.

It is my wish, however, that a right of way shall be maintained over and upon the East thirty-three (33) feet of lot eighteen (18) block twenty-four (24), Highland Park, Illinois, and that said right of way shall be for the use and benefit of my children or their heirs, who are occupants of the lots upon the East and West of said right of way, without purchase, being lots seventeen (17) and eighteen (18), in said block twenty-four (24), Highland Park, Illinois, respectively, and that my estate pay the taxes and charges for maintaining this right of way.

I have given to Roger S. Vail sixty-five (65) front feet in lot sixteen (16), block twenty-four (24); and I have given to Ceile Vail Follanshee sixty-five (65) front feet in lot eighteen (18) block twenty-four (24). I have deeded to Malcolm D. Vail the sixty (60) front feet, with house thereon, remaining in lot nineteen (19), block twenty-four (24), and the rental received from this property until my death I shall expend as I deem advisable.

My son, Carleton M. Vail, having built his own home and expressed his choice to retain the same with its larger grounds rather than accept for occupancy sixty-five (65) feet; and as I have put the price of my land at Seventy-five dollars (\$75) per front foot to the other three (3) members of the family he will have the right to sixty-five (65) front feet at the same price, the same not being charged against his share of the estate.

I hereby direct that my Trustees, or their successors shall sell to my son, Roger S.

Vail, if he desires, thirty-five (35) feet of lot six (16), block twenty-four (24) of my Highland Park, Illinois, property, next adjoining the property now owned by said Roger S. Vail on the west at the price of seventy-five dollars (\$75) per front foot.

(7) All the rest and remainder of the income of this, my trust estate, I hereby direct my Trustees, or their successors, to pay to my dearly beloved wife, Jennie C. Vail, during her lifetime in monthly payments, and upon the termination of said trust my trustees shall distribute among my four children, Carleton M. Vail, Roger S. Vail, Malcolm D. Vail and Cecile Vail Hollanabee, share and share alike what remains of the said trust estate, and if any one of my sons be dead leaving a widow or child him surviving, then his share of said trust estate shall be paid to his widow and surviving child or children and if my daughter be then dead leaving a child or children surviving her, then her share of said trust estate shall be paid to her child or children.

If, however, at the termination of said trust any one of my sons shall be dead without leaving a widow or child or children surviving him, or my daughter be dead without leaving a child or child surviving her, the share of said deceased son or daughter shall be divided among the survivor or survivors of my said children, share and share alike.

If my dearly beloved wife, Jennie C. Vail, shall die before I die, then my Trustees shall for the period of ten (10) years after my death pay all of the net, residue and remainder of the income arising from said trust estate in monthly installments to my sons, Carleton M. Vail, Roger S. Vail, Malcolm Vail, and my daughter, Cecile Vail Hollanabee, share and share alike, and if any one of sons die before the expiration of the ten year period leaving a widow or child

children him surviving, then his share of said income shall be paid to his widow and surviving child or children; and if my daughter die during said ten (10) year period, then her share of said income shall be paid to her surviving child or children, and if any one of my sons die during the said ten (10) year period without leaving a widow or child or children him surviving, or if my daughter die within said period without leaving a child or children her surviving, the share of said deceased son or daughter of such income, respectively, shall be divided among the survivor or survivors of my said children, share and share alike.

(8) It is my wish and fond hope that my Trustees, or their successors, heretofore named, on behalf of my wife, shall maintain and keep the house at Ephraim, Wisconsin, and all the lands and appurtenances thereto together with boats and boathouses, intact during the period of this trust, and as long thereafter as said properties can be occupied jointly by my wife and children, or their heirs, for the joint use of the several members of my family and their immediate families, under my wife's direction; also that the winter home at Frontenac, Florida, together with the orchard and appurtenances thereto attached, boats and boathouses, shall be similarly kept in reserve for the free use of my wife and under her direction for my children and their immediate families, that the same may be used by them jointly or severally, under the direction of my wife, and that they may take their vacations there as convenient will permit.

Sixth: Notwithstanding anything in the above paragraph contained, viz. Fifth: where in I have created this, my trust estate, I hereby direct that in case of any emergency or if circumstances should arise under which my said wife, Jennie C. Vail, should

need or desire any part of the principal of this, my trust estate, for her support, maintenance and comfort, or for any purpose, or trustees, or their successors, or the survivors or survivors of them, may, and I hereby direct that they shall pay to her upon her request such portion of the principal as she may request; and of such emergency, necessity or demand, my wife shall be the sole judge.

I further give full power to my said wife to terminate the said trust at any time she shall elect so to do, and for any reason that may seem to her to be sufficient.

In the event that my said wife elects to terminate this, my said trust, I hereby direct that my Trustees shall forthwith convey and turn over to my said wife, Jennie C. Vail, all the rest, residue and remainder of this, my trust estate, and the same shall thenceforth belong to my wife absolutely, free from all of the trust provisions of this will.

Seventh: I do hereby make, constitute and appoint my beloved wife, Jennie C. Vail, Executrix of this, My Last Will And Testament, and I hereby direct that no bond or other security be required of her as such Executrix.

In the event of my said wife's death before my death, or in the event that she shall not be able to perform her duties as such Executrix, I hereby appoint Carlton M. Vail, Roger S. Vail and Malcolm D. Vail, or their survivor or survivors, or such of them as may qualify as executors of this,

My Last Will and Testament, and I hereby direct that no bond or other security be required of them, or any of them, as such executors.

In Witness Whereof I have hereunto set my hand and seal this 31st day of January in the Year of our Lord, One thousand Nine Hundred Nineteen (A. D. 1919).

(Signed) Henry Sherman Vail
The above instrument, consisting of nine pages, was on the date thereof, that is, on

31st day of January, A. D. 1919, signed, sealed, published and declared by the said Henry S. Vail as and for his last Will and Testament in the presence of us, who, at his request, and in his presence, and in the presence of each other, have subscribed our names as witnesses thereto, believing the said Henry S. Vail to be at the time of so subscribing our names as witnesses aforesaid, of sound mind and memory.

John V. Norcross residing at Highland Park, Ill.
Arvestaria G. McLean residing at 5095. Monroe St., Chicago.
Herman Hensel residing at 753 W. Congress St., Chicago.

State of Illinois } ss.
Lake County, }

I, Lew. A. Hendee Clerk of the County Court in and for said County, in the State aforesaid, do hereby certify the foregoing to be a true, perfect and complete copy of the Last Will and Testament of Henry S. Vail, deceased, on file and of record in my office.

In Testimony Whereof, I have hereunto set my hand and affixed the seal of said Court, at my office in Waukegan, this 2nd day of April A. D. 1919.

Lew. A. Hendee

Clerk.

Seal

State of Illinois } ss.
Lake County, }

I, Perry L. Persons Judge of the County Court of said County, do hereby certify that Lew. A. Hendee whose name is subscribed to the foregoing Certificate of Attestation, now is, and was, at the time of signing and sealing the same, Clerk of the County Court of Lake County aforesaid, and Keeper of the Records and Seal thereof, duly elected and qualified to office; that full faith and credit are and of right ought to be given to all his official acts as such, in all courts of record and elsewhere; and that his said attestation is in due form of

law, and by the proper officer.

Given under my hand and seal this 2nd day of April, A.D. 1919.

Perry L. Persons. 

State of Illinois, } ss.
Lake County, }

I, Lew. A. Hendee Clerk of the County Court, in and for said County, in the State aforesaid, do hereby certify that Perry L. Persons whose genuine signature is appended to the foregoing Certificate, was at the time of signing the same, Judge of the County Court of Lake County, Illinois duly commissioned and qualified, that full faith and credit are and of right ought to be given to all his official acts as such, in all courts of record and elsewhere.

In Testimony Whereof, I have hereunto set my hand and affixed the seal of said Court, at my office in Waukegan the 2nd. day of April, A.D. 1919.

Lew. A. Hendee.
Clerk.



Filed & recorded: April 18-1919
R. M. Hunter C.S.C.

North Carolina,
Brunswick County.

No. 330

I, L. J. Pepper, of the aforesaid County and State, being of sound mind, but considering the uncertainty of my earthly existence do make and declare this my last will and testament:

First, My executor, hereinafter named, shall give my body a decent burial, suitable to the wishes of my friends and relatives, and pay all funeral expenses, together, with all my just debts, out of the first moneys which may come into his hands belonging to my estate.

Second, I give and devise to my beloved wife, Olypus Pepper, the following lot of land, lying and being in the City of Southport, N.C., bounded and described as follows, viz.

Beginning on the East side of Atlantic street Forty-Nine and one half (49 1/2) feet North from the North corner of Atlantic and St. George streets, run thence One Hundred and Sixteen and Eighty-Eight One Hundredth (116.88) feet to the McKendie Swamps garden, thence in a North direction Fifty and Forty One Hundredth (60.40) feet to the Southeast corner of lot No. 17 owned by E. F. Drew; thence West Eighty Two and Twenty Two One Hundredth (82.22) feet to the East line of Atlantic street, thence South along the East line of Atlantic street Forty Nine and one half (49 1/2) feet to the beginning corner, being the same lot of land conveyed to said L. J. Pepper by B. W. W. and wife, as will more fully appear by reference to Book 20, page 169, records of Brunswick County.

Third, I give and devise all the residue of my real estate wheresoever situated to my children, viz.

Josephine Martin, Ed. L. Pepper, Mary Skinner, Carl Pepper, Minnie O'Hagan, Vivian Anderson, and Howell Goldfinch, share and share alike.

Fourth, I give and bequeath unto my said wife, Olypus Pepper, and unto my