

Under the Will of Francis Kendall, late of Watertown in said County of Middlesex, deceased. 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 statements of substance of proof on file or of record in said Court. And I further certify that it appears by the records and files of said Court that said appointment remains in full force.

In witness whereof, I have hereunto set my hand and the Seal of said Court this twenty fourth day of January, in the year of our Lord one thousand nine hundred and ten.

Wm. E. Rogers, Register.

I, Francis Kendall, of Watertown, in the County of Middlesex, and Commonwealth of Massachusetts, make this my last Will, hereby testifying, my and all Wills by me at any time heretofore made. After the payment of my just debts and funeral expenses, I give, devise and bequeath unto my heirs, assigns, executors, and to the survivors or survivor of them, and to his and their survivors or survivor as follows:

1. I give to my son, John Hathaway Kendall, all articles of personal, decorated, or household use and ornament belonging to me which at the time of my decease may be in the house then occupied by me as my principal place of residence.
2. All of the residue of my property, both real and personal, I give, devise and bequeath unto my heirs, assigns, executors, and to the survivors or survivor of them, and to his and their survivors or survivor, upon trust to hold, manage, sell, invest and reinvest the same and to pay over the net income of the trust property in equal shares to my sons, Francis Paul Kendall and John Hathaway Kendall, so long as they both shall live.

In case my son Francis should die before my son John, I direct my said trustees to pay to him during his life one half of the net income of the trust property. Upon the death of my son

John, in case my son Francis should then be living, I direct my trustees to pay over in equal shares to the children of my son John, and to the issue of any deceased child of his by right of representation one half of the net income of the trust property.

After the death of my said two sons, and when the youngest surviving child of my son John shall have attained the age of twenty five years, I direct my said trustees to pay over one half of the principal of the trust property, in equal shares, to the children of my son John and to the issue of any deceased child of his, such issue to take by right of representation the share which their parents would have been entitled to receive, if such parents had survived; and thereafter and until the death of the last survivor of the children of my son John, my said trustees are to pay over the net income of the remaining half of the trust property in equal shares, to the children of my said son John and to the issue of any deceased child of his, such issue to take the same share to which their parents would have been entitled if then living. After the death of my said two sons, and upon the death of the last survivor of the children of my son John, I direct my said trustees to distribute and pay over all of the trust property then remaining to the issue of the children of my son John in equal shares per stirpes and not per capita; that is, the issue of each deceased child shall collectively take the same share which their parents would have received, if living, and if I had provided that the trust property should all be paid over in equal shares to the children of my son John when the youngest of said children attained the age of twenty five years.

I appoint my son John Hathaway Kendall, and John E. Abbott of said Watertown executors of and trustees under this my Will, and I require that each of them shall be exempt from furnishing any surety or sureties on their official bonds, both as executors and as trustees.

I hereby authorize and empower my said executors, and the survivors or survivor of them, and also my

Said trustee, and the survivors or survivor of them, to sell at public or private sale any part or parts or the whole of my residuary estate both real and personal, for such price and on such terms and conditions as they may think fit, and to execute, acknowledge and deliver such deeds and other written instruments to convey and transfer for the same; and no purchaser either from my executors or from my trustee shall be answerable and accountable for the application of the purchase money.

I hereby devise that each of my said executor and trustee shall be answerable and accountable only for his own acts, and not one for another nor for any other person with whom or into whose hands any trust moneys or securities may be deposited or come, nor for any loss or depreciation of the trust property, unless the same shall happen through their own wilful default or gross neglect respectively.

In Witness Whereof I have set my hand, this twenty first day of June, A.D. 1900.

Francis Kendall.

Signed, published and declared as and for his last will by the said Francis Kendall, this twenty first day of June, 1900, in the presence of us three, who, at his request, in his presence, and in the presence of each other, have hereunto set our hands as witnesses, Daniel P. Gleason, Frederick E. Critchell, Allen H. Bond.

To the Honorable the Judge of the Probate Court in and for the County of Middlesex.

Respectfully represents John H. Kendall and John E. Abbott, of Watertown in the County of Middlesex, that Francis Kendall who last dwelt in Watertown in said County of Middlesex, died on the twentieth day of March in the year of our Lord one thousand nine hundred and four, possessed of goods and estate remaining to be administered, leaving no widow, and as his only heirs at law, and next of kin the persons whose names, residences and relationships to the deceased are set forth in the foregoing petition.

Name	Residence	Relationship
John H. Kendall	Watertown Mass.	son
Francis P. Kendall	Lexington Mass.	son

That said deceased left a will household inventory, wherein your petitioners are named executors.

Wherefore your petitioners pray that said will may be proved and allowed and letters testamentary issued to them without giving surety on their bond, and certify that the statements herein contained are true to the best of their knowledge and belief.

Dated this twenty fourth day of March A.D. 1904.

John H. Kendall
John E. Abbott

Subscribed and sworn to this twenty fourth day of March A.D. 1904.

Before, Clarence P. Weston.

Judge of the Probate Court.

The undersigned being all the persons interested, hereby assent to the foregoing petition.

Commonwealth of Massachusetts—
Middlesex, ss.

Probate Court.

In the herein at law, next of kin and all other persons interested in the estate of Francis Kendall, late of Watertown in said County.

Whereas a certain instrument purporting to be the last will and testament of said deceased, has been presented to said Court, for probate, by John H. Kendall and John E. Abbott, who pray that letters testamentary may be issued to them the executors therein named, without giving surety on their official bonds.

You are hereby cited to appear as a probate tutor at the Court at Cambridge in said County of Middlesex on the fifth day of April A.D. 1904, at nine o'clock in the forenoon, to show cause if any you have, why the same should not be granted. And said petitioners do hereby request to give public notice thereof by publishing this citation once in each week, for three successive weeks in the Boston Daily Advertiser, a newspaper published in Boston, the last publication to be one day at least before said Court, and by mailing Postpaid, or otherwise.

A copy of this citation to all known persons
interested in the estate, seven days at least
before said Court.
Witness, Chas. J. McIntire, Esq., First Judge
of said Court, this twenty fifth day of March
in the year one thousand nine hundred and
four.
W.E. Rogers Notary Public.

I have served the above citation as herein ordered
by publishing and reading.
John E. Abbott.

Middlesex, ss. April 5th 1904. I have personally
appeared John E. Abbott and made oath that
the above return by him subscribed is true
before me.
Thomas H. Amstrong, Notary Public.

Commonwealth of Massachusetts.
Middlesex, ss. At a probate Court holden at
Cambridge in and for said County of Middlesex
on the fifth day of April in the year of our Lord
one thousand nine hundred and four.
On the petition of John St. Kittell and John E. Abbott
of Watertown in the County of Middlesex, praying
that the instrument hereunto presented, purporting to be
the last will and testament of Francis Kendall
late of Watertown in said County of Middlesex, deceased,
may be proved and allowed, and letters testamentary issued
therein the executors therein named, without giving
a surety on their bond, and to him 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,
affidavit made thereto having been withdrawn, 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 executing
the same, of full age and sound mind, and that
said petitioners are competent persons 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 petitioners
they first giving bond without surety for the due performance
of said trust. As &c. &c. &c.

Endorsement.

Appraisers suggested. Edmund D. Hill of Boston, Charles
F. Hall of Boston, Francis H. Linscott of Boston,

to 64367, Francis Kendall. Probate of Will. Petition Citation
Deceased, filed March 25-1904. Allowed April 5-1904.
Re. Reas. 660. Page 247. Will Reas. 661. Page 439.
For Petitioner, J. E. Abbott. For Respondent, E. D. Hill
811 Inman Building, Boston. April 5-1904. I withdrew my
appearance. E. D. Hill.

Knew all well by these presents,
that I John E. Abbott of Watertown
in the County of Middlesex, in the Commonwealth of Massachusetts
am holding, and stand jointly bound and obliged unto
Charles J. McIntire, Esq., First Judge of the Probate Court
in and for the County of Middlesex in the full and just sum
of two hundred thousand dollars, to be paid to said Judge
and his successors in said office: to the two payments
whereof I bind myself and my heirs, executors and
administrators by these presents, sealed with my seal
and dated the fifth day of April in the year of our
Lord one thousand nine hundred and four.
The condition of this obligation is such, that if
the above bounden John E. Abbott executor of the
last Will and Testament of Francis Kendall, late of
Watertown in said County of Middlesex, deceased,
testate, shall, First make and return to said Probate
Court, within three months after his 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 executor; second, administer
according to law and the will of said deceased all of
the personal estate of the said deceased which may
come to the possession of said executor, or of any
person for him and also the proceeds of any of
the real estate of said deceased that may be sold
or mortgaged by said executor; and third, render
upon oath a true account of his administration
at least once a year until his trust is fulfilled
unless he is excused therefrom in any year
by said Court, and also render such account at
such other times as said Court may order.

A copy of this citation to all known persons
interested in the estate, seven days at least
before said Court.
Witness, Chas. J. McIntire, Esq., First Judge
of said Court, this twenty fifth day of March
in the year one thousand nine hundred and
four.
W.E. Rogers Notary Public.

I have served the above citation as herein ordered
by publishing and reading.
John E. Abbott.

Middlesex, ss. April 5th 1904. I have personally
appeared John E. Abbott and made oath that
the above return by him subscribed is true
before me.
Thomas H. Amstrong, Notary Public.

Commonwealth of Massachusetts.
Middlesex, ss. At a probate Court holden at
Cambridge in and for said County of Middlesex
on the fifth day of April in the year of our Lord
one thousand nine hundred and four.
On the petition of John St. Kittell and John E. Abbott
of Watertown in the County of Middlesex, praying
that the instrument hereunto presented, purporting to be
the last will and testament of Francis Kendall
late of Watertown in said County of Middlesex, decedent,
may be proved and allowed, and letters testamentary issued
therein the executors therein named, without giving
a surety on their bond, and to him 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,
affidavit made thereto having been withdrawn, and
it appearing that said instrument is the last will
and testament of said decedent and was legally executed
and that said testator was at the time of executing
the same, of full age and sound mind, and that
said petitioners are competent persons 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
decedent, and letters testamentary be issued to said petitioners
they first giving bond without surety for the due performance
of said trust. As & Lett. - Prob. - ss. -

Endorsement.

Appraisers suggested. Edmund D. Hill of Boston, Charles
F. Hall of Boston, Francis H. Linscott of Boston,

to 64367, Francis Kendall. Probate of Will, Probate Citation -
Decree, filed Mar 25-1904. Allowed April 5-1904.
Re. Reas. 660. Page 247. Will Reas. 661. Page 439.
For Petitioner, J. E. Abbott. For Respondent, E. D. Hill
811 Inman Building, Boston. April 5-1904. I withdrew my
appearance. E. D. Hill.

Knew all well by these presents,
that I John E. Abbott of Watertown
in the County of Middlesex, in the Commonwealth of Massachusetts
am holding, and stand jointly bound and obliged unto
Charles J. McIntire, Esq., First Judge of the Probate Court
in and for the County of Middlesex in the full and just sum
of two hundred thousand dollars, to be paid to said Judge
and his successors in said office: to the two payments
whereof I bind myself and my heirs, executors and
administrators by these presents, sealed with my seal
and dated the fifth day of April in the year of our
Lord one thousand nine hundred and four.
The condition of this obligation is such, that if
the above bounden John E. Abbott executor of the
last Will and Testament of Francis Kendall, late of
Watertown in said County of Middlesex, decedent,
testate, shall, First make and return to said Probate
Court, within three months after his appointment,
a true inventory of all the real and personal estate
of said decedent which at the time of the making of
such inventory shall have come to the possession
or knowledge of said executor; second, administer
according to law and the will of said decedent all of
the personal estate of the said decedent which may
come to the possession of said executor, or of any
person for him and also the proceeds of any of
the real estate of said decedent that may be sold
or mortgaged by said executor; and third, render
upon oath a true account of his administration
at least once a year until his trust is fulfilled
unless he is exonerated therefrom in any year
by said Court, and also render such account at
such other times as said Court may order.

This this obligation to be void, otherwise to remain in full force and virtue.
Signed, sealed and delivered,
in presence of
Frederick M. Estey

John E. Abbott

Middlesex, ss. April 5th A.D. 1904 Examined and Approved
Geo F Lawton
Judge of Probate Court

I, John E. Abbott, the within named executor, 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 \$35000.00
Personal property \$100,000.00

(Signed) John E. Abbott,
Endorsed. No 64307, Francis Kendall, Executor Bond.
(without penalty) approved April 5, 1904. Rev Book 573 page 441.

Know all men by these presents,

That I John H. Kendall of Watertown in the County of Middlesex, in the Commonwealth of Massachusetts, am bound and stand firmly bound and obliged unto Charles J. McIntire, Esq., First Judge of the Probate Court in and for the County of Middlesex in the full and just sum of two 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 fifth day of April in the year of our Lord one thousand nine hundred and four.

The condition of this obligation is such, that if the above bounden John H. Kendall executor of the last will and testament of Francis Kendall late of Watertown, in said County of Middlesex, deceased, shall, first make and return to said probate court, within three months after his appointment a true inventory of all the real and personal real estate of said deceased which at the time of the decease of said deceased was

then come to the possession or knowledge of said executor, 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 executor or of any person for him, and also the proceeds of any of the real estate of said deceased that may be sold or mortgaged by said executor; and third, render upon oath a true account of his administration at least once a year until his trust is fulfilled, unless he is exonerated therefrom in any year by said Court, and also render such account at such other times as said Court may order. Thus this obligation to be void, otherwise to remain in full force and virtue.

Signed, sealed and delivered

John H. Kendall

in presence of
H. E. Goodspeed.

Middlesex, ss. April 5th A.D. 1904, Examined and approved
Geo F. Lawton Judge of Probate Court.

I, John H. Kendall the within named executor, 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 \$35000.00, Personal Estate \$100,000.00
(Signed) John H. Kendall

Endorsed No 64367,

Francis Kendall, Executor Bond (without penalty)
approved April 5, 1904. Rev. Book 660, Page 247.

Commonwealth of Massachusetts, Probate Court,
Middlesex, ss.
To John H. Kendall and John E. Abbott of Watertown in the County of and Commonwealth aforesaid. You are appointed Executors of the last will and testament of Francis Kendall late of Watertown in said County of Middlesex, deceased, which will was approved and allowed on the fifth day of April A.D. 1904, 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 the decease of said deceased was

Cons to your possession or knowledge.
So administer, according to law and to the will
of said decedent, all of the personal estate of
said decedent 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 decedent that may
be sold or conveyed 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 posted in two or more
public places in the City or town in which said
decedent last dwelt, or cause the same to be
published once in each week for three successive
weeks in the Tribune Enterprise a newspaper pub-
lished in Watertown, and return your affidavit
of having given such notice, with a copy thereof
to the Probate Court.

Witness Charles J. McIntire, Esquire, First Judge
of said Court, at Cambridge this fifth day of
April in the year of our Lord one thousand nine
hundred and four.

W.E. Rogers act. Register.

A true record

Attest W.E. Rogers act. Register.

Embroid. Francis Kendall, Executor Letters
Rac. Book 160. Page 247.

To the Honorable the Judge of the Probate Court in
and for the County of Middlesex:

Respectfully represent John H. Kendall, and John E.
Abbott both of Watertown in the County of Middlesex,
that Francis Kendall late of Watertown in the County
of Middlesex, deceased, test. by his last will and
testament, proved and allowed on the fifth day
of April A.D. 1904, in said Court, did then give
certain estate in trust for the use and benefit of
John H. Kendall and Francis P. Kendall, and
appointed John H. Kendall and John E. Abbott executors
of said trust, and in and by said Will

Requested that said John H. Kendall and John E. Abbott
be exempt from giving a surety on their bonds as
such trustees. That they are willing to accept said
trust and give bond according to law, for the faithful
discharge thereof: they therefore pray that they may
be appointed trustees as aforesaid, and that they be
exempt from giving a surety on their bonds ac-
cording to the provisions of the law in such case
made and provided.

Dated this thirteenth day of June A.D. 1909.

John H. Kendall
John E. Abbott.

Commonwealth of Massachusetts

Middlesex, ss.

At a Probate Court holden at
Cambridge in and for said County of Middlesex
on the first day of July in the year of our Lord
one thousand nine hundred and nine. On the
petition of John H. Kendall and John E. Abbott of
Watertown in said County of Middlesex, praying to
be appointed trustees under the will of Francis
Kendall, late of Watertown in the County of
Middlesex, deceased, which said will was
proved and allowed on the fifth day of April
A.D. 1904 by said Court, and is now of record
in this Court: and that they may be exempt
from giving a surety on their bond:

It appearing by said will that said testator gave
certain estate therein described in trust for the
use and benefit of John H. Kendall and Francis
P. Kendall, and that the petitioners were named
therein as trustees, and that said testator in and
by said will requested that said petitioners be exempted
from giving a surety on their bond as such trustees:

It is decreed that said petitioners be appointed
trustees as aforesaid they first giving bond
without sureties for the due performance of
said trust.

Charles J. McIntire
Judge of Probate Court.

Enclosed, Appraisers suggested
(must be returned) Walter M. Lincoln
of Quincy, William A. Abbott of Watertown
Joseph M. Dewney of Hyde Park.
To 64367 Francis Kendall, Trustee (without duty)
Petition - Decm. filed July 1 - 1909
in minutes 191. allowed July 1 - 1909
Rec. Book, 706. Page 247.
For Petitioner, John E. Abbott 53 State Street Boston
For Respondent

Know all men by these Presents,
That I John H. Kendall of Watertown in the
County of Middlesex, in the Commonwealth of
Massachusetts, am husband and stand jointly bound
and obliged unto Charles J. McEntee, Esq.,
first judge of the Probate Court in and for the
County of Middlesex, in the full and just sum
of two hundred 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
first day of July in the year of our Lord one
thousand nine hundred and nine.

The condition of this obligation is such
that if the abovesaid John H. Kendall and
Francis P. Kendall under the seal of Francis Kendall
late of Watertown in said County of Middlesex
demand, estate, shall first make and return
to said Probate Court at such time as it may
order a true inventory of all the real and
personal estate belonging to him as such
trustee which at the time of the making of such
inventory shall have come to his possession
or knowledge; shall manage and dis-
pose of all such estate, and faithfully discharge
his trust in relation thereto, according to law
and to the will of said testator;

Third, render upon oath at least once a year
until his trust is fulfilled, under his seal and
thenceforward in any year by said Court, a true
account of the property in his hands, and of

The management and disposition thereof, and
also render such account at such other times as
said Court may order;
Fourth, at the expiration of his trust, settle his
account in said Court, and pay over and deliver all
the estate remaining in his hands, or due from him
on such settlement, to the person or persons entitled
thereto; Thus this obligation to be void, otherwise to
remain in full force and virtue,
signed, sealed and delivered John H. Kendall
in presence of
Joseph M. Dewney,

Middlesex ss. July 1. A.D. 1909. Examined and approved,
Charles J. McEntee Judge of Probate Court.

I John H. Kendall the within named trustee, solemn-
ly swear to the best of my knowledge and belief, the
within named estate does not exceed in value
the following mentioned sums, viz: Real Estate \$16000.00
Personal Estate \$125000.00.

Enclosed, To 64367 (Signed) John H. Kendall
Francis Kendall.
Trustee's Bond, (without duty) For Receipt of
John H. Kendall et al. approved July 1 - 1909.
Rec. Book, Page 247.

Know all men by these Presents,
That I John E. Abbott of Watertown in the
County of Middlesex, in the Commonwealth of
Massachusetts, am husband and stand jointly bound
and obliged unto Charles J. McEntee, Esq., first judge
of the Probate Court in and for the County of Middlesex,
in the full and just sum of two hundred 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 first day of July in the year of our Lord
one thousand nine hundred and nine.
The condition of this obligation is such that
if the abovesaid John E. Abbott, trustee of certain
estate given in trust for the benefit of John H. Kendall

Commonwealth of Massachusetts
Middlesex ss. Probate Court.

To John H. Kendall and John E. Abbott of Watertown in the County of Middlesex, and Commonwealth aforesaid, You are appointed Trustees of the estate given in trust for the benefit of John H. Kendall and Francis P. Kendall under the Will of Francis Kendall, late of Watertown in the County of Middlesex, deceased, which will was proved and allowed on the fifth day of April A.D. 1904, by said Court, and is now of record in this Court:

And you are required to make and return to said Probate Court within three months from the date hereof, a true inventory of all the real and personal estate belonging to you as Trustees, which at the time of the making of such inventory shall have come to your possession or knowledge. To manage and dispose of all such estate, and faithfully discharge his trust in relation thereto, according to law and the will of said testator. To render, upon oath, a true account of the property in your hands and of the management and disposition thereof, at least once a year, until your trust is fulfilled, unless ordered otherwise in any year by said Court: and at the expiration of your trust, to settle your account in said Court and pay over and deliver all the estate and effects remaining in your hands or due from you on such settlement to the person or persons entitled thereto.

Witness Charles J. McIntire Esquire, Justice of said Court, at Cambridge, this first day of July in the year of our Lord one thousand nine hundred and nine.

A true record,
Attest, W. E. Rogers, Register.

Endorsed. Francis Kendall. Trustee Letter,
Rec. Recs. 706. Page 247.

Recorded and filed. February 8th, 1912.
A. A. Tani.
C. C.

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And Francis P. Kendall under the will of Francis Kendall, late of Watertown in said County of Middlesex, deceased, testator. Shall

first, make and return to said Probate Court, at such time as it may order, a true inventory of all the real and personal estate belonging to him as such trustee, which at the time of the making of such inventory shall have come to his possession or knowledge:

Second, manage and dispose of all such estate and faithfully discharge his trust in relation thereto, according to law and to the will of said testator;

Third, render upon oath, at least once a year until his trust is fulfilled, unless he is ordered otherwise in any year by said Court, a true account of the property in his hands, and of the management and disposition thereof, and also render such account at such other times as said Court may order:

Fourth, at the expiration of his trust, settle his account in said Court and pay over and deliver all the estate remaining in his hands or due from him on such settlement, to the person or persons entitled thereto:

Then this obligation to be read, otherwise to remain in full force and virtue signed, sealed and delivered in presence of.

Joseph M. Downey.

John E. Abbott (Seal)

Middlesex ss. July 1-1909. Examined and approved
Charles J. McIntire, Judge of Probate Court.

I, John E. Abbott, the within named trustee, declare that to the best of my knowledge and belief the within named estate does not exceed in value the following mentioned sums, to-wit:
Real Estate \$16000.00. Personal Estate \$1200.00.00.

(Signed) John E. Abbott.

Endorsed. to 64567. Francis Kendall.

Trustee Record (without portion) for Benefit of John H. Kendall et al. approved July 1-1909.
Rec. Recs. 697. Page 489.