

Property of Francis L. Gardner, Chairman of Sec
of Swansea,

KNOW ALL MEN BY THESE PRESENTS

that I, ELIZABETH R. STEVENS, of Swansea, in the County of Bristol and Commonwealth of Massachusetts, being of sound and disposing mind and memory, do hereby make this my LAST WILL and TESTAMENT, hereby revoking any and all wills and codicils heretofore made by me.

FIRST. I direct my executors, hereinafter named, to pay my just debts and funeral charges.

SECOND. I give and bequeath to my executors, hereinafter named, all my point laces, and my parasol with point lace cover and monogram on the gold handle, not requiring, but earnestly requesting that they will give and deliver the same in the manner, and to such persons or organizations, as shall be designated in a letter relative thereto signed by me and addressed to them.

Elizabeth R. Stevens

THIRD. I give and bequeath to my said executors all my bric-a-brac in my home at the time of my decease, all my jewelry and all diamonds, mounted and unmounted, and all the pieces of table silver and table glass-ware owned by me at my decease, excluding the twenty-five pieces of Birch silver, so-called, hereinafter specifically described, not requiring, but earnestly requesting and fully trusting that they will give, distribute and deliver the same in the manner and unto the persons or organizations respectively as I shall designate in a letter relative thereto signed by me, and addressed to said executors.

FOURTH. (a) I give and bequeath to my sister, Mary A. Case, of said Swansea, all my wearing apparel and the toilet articles used at the time of my death in my suite of sleeping rooms, except such as are hereinbefore specifically described, and if she does not survive me, I give the same to said executors, not requiring, but earnestly requesting that they will give, distribute and deliver the same in the manner and unto such persons, respectively, as shall be designated in a letter relative thereto signed by me and addressed to them.

(b) I give and bequeath to Ruth B. Eddy, of said Swansea, one set of decorated china dinner plates which are marked with her name.

FIFTH. If my said sister, Mary A. Case, shall survive me, then I give, devise and bequeath to Israel Brayton, of Fall River, in said Bristol County, IN TRUST,

(j) The tract or parcel of land described in a deed from Jonathan and William L. Slade to Frank S. Stevens dated July 18, 1866, recorded in said North District Registry, book 283, pages 460-461.

(k) All my horses, cattle, live stock, carriages, wagons, farming apparatus, utensils and the other equipment of my farm; all the hay, grain, farm products and the contents of my stables, garages, barns and farm buildings; and all household furniture, furnishings and supplies, including books, ornaments, household linen, plate, glass, china, silverware, pictures, fuel, consumable provisions, household supplies and other articles of like nature, being at my death in said house where I now reside in Swansea and not hereinbefore specifically described and bequeathed.

To him, the said Israel Brayton, his heirs, successors and assigns, but IN TRUST, NEVERTHELESS, for the following purposes and upon the following conditions, to wit:—

To hold, manage and control the same, collect and receive all the income, rent and profits and from said receipts, and the funds hereinafter provided for this purpose, to pay all the costs and expenses of maintenance, management and upkeep of said trust property, real and personal, of repairs and replacement of worn out, injured, destroyed or obsolete equipment and buildings, motor and other vehicles; to employ, discharge and pay wages of farm employees; to pay the taxes, assessments and public charges; to keep the property insured in such amounts as he may deem best; to make such improvements, restorations and alterations in the trust property as my said trustee deems advisable; to pay all the expenses of maintenance of the house and household in which my said sister, Mary A. Case, may live on said homestead premises, including coal, food, household supplies and wages of domestic employees.

To permit my said sister, Mary A. Case, to occupy and enjoy the house on said homestead premises as her home, without charge for use or occupation, that she may enjoy the same and the land and buildings appertaining thereto and all the property hereinbefore devised and bequeathed to said trustee; and shall not be responsible for or in any way subject to liability for any use she may make thereof, nor for waste, loss, deterioration thereof or injury thereto; to the end that my home and homestead real estate, and other real estate above described, and held in this trust may be continued and maintained to be enjoyed by her should

she survive me in substantially the same manner as now used and enjoyed by me;

To permit Stanley Nottingham, now in my employ, to occupy rent free, the dwelling house where he now resides upon the tract of land above described in sub-paragraph (a), so long as he is in the employ of said trustee for the benefit of my said sister, and said trust estate.

To buy and sell, at public or private sale, without securing the consent of any court or person, personal property as he may deem best to carry out the intent and purposes of this trust, and

To purchase and acquire such parcel or parcels of real estate in the Town of Swansea, to become a part of the trust estate, as said trustee may deem advisable to carry out the intent and purposes of this trust and for the benefit of the trust estate; and upon receiving license of the Probate Court, from time to time to sell and convey such parcel or parcels of real estate as may not be needed for the purposes of the trust and may be advantageously disposed of.

During the life-time of my said sister, or after her death, as said trustee may deem best, to give and deliver as a bequest under this will to the University of California, to be preserved and publicly exhibited by it in its Museum, twenty-five (25) pieces of the silver service formerly belonging to the late James E. Birch and marked with his name or initials, to wit:—a coffee pot, tea-pot, tea-kettle, sugar bowl, cream pitcher, slop-bowl, ice pitcher, large pitcher, small waiter, large waiter, two large goblets, two gravy boats, celery goblet, fruit dish, soup-tureen, cake basket, cake knife, ice dish, ice tongs, two sauce tureens with covers and two ladles; on many of the above pieces are engraved scenes depicting mining in California, and said trustee shall give and deliver to Frank S. Stevens, son of Frank Harold Stevens, the silver cup marked "John to Frank". (There is now in said cup a clipping from an old newspaper setting forth the history of said cup).

I devise and bequeath, and direct my said trustee to transfer and convey accordingly, after the death of my said sister, as follows:—

To the Town of Swansea, the oil painting of my deceased husband, Frank S. Stevens, now hanging in the library in the house in said Swansea where I now reside, and the framed ancient will of Eber Shearman dated 1730, to be placed in the Swansea Public Library.

Elizabeth R. Stevens

Elizabeth R Stevens

To my said executors, ten framed manuscripts relating to the Revolutionary War, requesting them to place said manuscripts in the Swansea Public Library or the Joseph Case High School, or in both said buildings, in such manner as said executors may determine is best for permanent public exhibition purposes.

To Thomas R. Burrell, of said Fall River, but if he does not survive me, to his eldest son, all the remaining framed manuscripts, eight in number, identified by labels, bearing his name.

To my executors all books in my home at my death, or at the death of my said sister if she survives me, requesting them to dispose of the same by giving them to the persons for whom they are marked, and to the Public Library of the said Town of Swansea, all books not so marked, as the Trustees of said Library may select as useful for the purposes of said Library.

To the Rest House, Incorporated, a Massachusetts charitable corporation, located in said Swansea, in fee simple, free of all trusts, all those tracts and parcels of land, and buildings thereon, described as follows, viz:—

(l) All those parcels of land described above under the sub-paragraphs lettered (g) (i) and (j) being lots respectively conveyed by Alexander Gardner to Frank S. Stevens, by Hannah Cleveland, et al., to Frank S. Birch (except the portion conveyed), by Ellen F. Chace, et al., to me, and by Jonathan Slade, et al., to Frank S. Stevens.

(m) All that portion of the land devised under sub-paragraph (f) hereof, (referring to the deed from Hannah Cleveland, et al., to Frank S. Stevens) which lies easterly of the highway leading from Swansea Village to Fall River.

(n) All that parcel described in sub-paragraph (h) hereof, (referring to deed from Samuel Boyd to Frank S. Stevens) excepting and excluding a certain lot, with buildings thereon, bounded and described as follows, viz:

Beginning at the southwesterly corner thereof at a point in the northerly line of the highway leading from Swansea Village, to Somerset, opposite a point in the southerly line thereof, two hundred and sixty-five (265) feet east of the State Highway bound at Gray's Corner; thence running easterly in the line of said highway two hundred and forty-one (241) feet; thence

Elizabeth R. Stevens

Cool
14
Cool
11
8
(116)

Elizabeth R. Stevens

lic or such
way
house
Fran
there
know
the
dispe
vide
tion
my
trust
dispe
Bray
TRU
low
ther
sist
the
prop

northerly one hundred and forty-four (144) feet passing through the center of the well, which is to continue to be used in common with the owners of adjoining land and their successors and assigns; thence westerly twenty-seven (27) feet; thence northerly slightly westerly one hundred and sixty-seven (167) feet to a wall; thence westerly by said wall, one hundred and twenty-two (122) feet, to a wall running in a general southwesterly direction by the land of Mary A. Case, at a point where the brook passes under the first mentioned wall; thence by land of said Mary A. Case two hundred and eighty-four (284) feet to the point of beginning.

I direct said trustee to sell, after the death of my said sister, at public or private sale, without license of the court, upon such terms and in such manner as he may deem best, the following tracts or parcels, viz:—

(o) That tract or parcel situate on the northerly side of the highway leading from Swansea Village to Somerset Village, with the dwelling house thereon, excepted from the lot in the deed from Samuel Boyd to Frank S. Stevens in the foregoing sub-paragraph (n) of this article and therein described by metes and bounds.

(p) Also the tract or parcel above described in sub-paragraph (e) known as the Shaw Place; to make conveyance thereof, and to pay over the net proceeds thereof to the executors of this will, to become and be disposed of as part of the rest, residue and remainder as hereinafter provided.

After making sale, conveyance and disposition of those certain portions of the trust estate as hereinbefore provided, and after the death of my said sister, to assign, transfer, convey and deliver all the remaining trust funds and estate, real, personal and mixed, then remaining undisposed of, unto William H. Jennings, William L. S. Brayton and Israel Brayton, all of said Fall River, to them, their heirs and successors, but IN TRUST NEVERTHELESS, for the following purposes and upon the following conditions, to wit:—

To hold, manage and control the same; to lease and give occupation thereof; to apply the same within five years after the death of my said sister Mary, to and for such charitable purposes or purpose as to them or their successors in their uncontrolled discretion shall seem good and proper, by conveying, transferring or otherwise disposing of the same or

Elizabeth R. Stevens

NINTH. If my said sister, Mary A. Case, shall not survive me, then I give and bequeath to said William H. Jennings, William L. S. Brayton and Israel Brayton, the sum of seven hundred thousand dollars (\$700,000), to be held IN TRUST by them and their successors for the purposes of maintaining and caring for the trust property and estate which may become vested in them as trustees under the Eighth Article hereof, and otherwise for the purposes and upon the conditions and with the powers as set forth and provided in the Sixth Article hereof relating to trust funds transferred after the death of my said sister in case she should survive me, by Israel Brayton, trustee, to said trustees; to be held, used, applied and disposed of within five years after my death as therein required to be done within five years after the death of my said sister.

TENTH. I will and direct that my said executors shall deposit with the Treasurer of the Town of Swansea the sum of Seven Hundred Dollars (\$700), the income thereof to be used for the preservation, care, improvement and embellishment of the tomb and burial place of my deceased husband, Frank S. Stevens, said tomb being situate in the church yard of Christ Church in said Town of Swansea.

ELEVENTH. I will and direct that the foregoing gifts and legacies and also those hereinbefore given to Israel Brayton, trustee, and to William H. Jennings, William L. S. Brayton and Israel Brayton IN TRUST, together with all legacy and succession taxes thereon shall be paid in full before the payment of any and all other legacies and devises herein made.

TWELFTH. I give, devise and bequeath unto my friend, Helen L. Wellington, of said Swansea, for and during the term of her natural life, the house in said Village of Swansea where she now lives, and the lot of land appurtenant thereto, and from and after her death, I give said house and lot unto said Town of Swansea IN TRUST to be held by said Town of Swansea, and the net income thereof to be used and applied to and for the current expenses of the Swansea Public Library.

I give also unto the said Helen L. Wellington, absolutely, the sum of one thousand dollars.

THIRTEENTH. I will and direct that my said executors shall expend a sum not exceeding ten thousand dollars (\$10,000) for a memorial window to be placed in Christ Church in said Swansea, in memory of my

Elizabeth R. Stevens

Elizabeth R. Stevens

said place

said adj

Subj
vised
ceme
east
of M
Chur
IN T
with

said
ceas
Chur
adjo
by L
tain
keep
occu
year
said
for t
the

alwa
be s

para
the

Com
15

said sister, Mary A. Case, provided such window shall not have been so placed by me prior to my decease.

FOURTEENTH. I also give and devise unto said Christ Church in said Swansea my lot of land in said Village of Swansea lying west of and adjoining the Church lot and cemetery and bounded as follows:—

Easterly by land of said Christ Church; southerly by the road running through the Village of Swansea; westerly by land conveyed by Wendell E. Turner to me, land of the Town of Swansea and land formerly of Daniel Wood; and northerly by land of my sister, Mary A. Case.

Subject to the condition that the portion of said land hereby devised which lies between the westerly line of the present Church lot and cemetery and a line running from said road northerly by and along the easterly line of said Turner's land and in continuation thereof to said land of Mary A. Case, shall never be leased, sold or disposed of by said Christ Church, but shall always be held by said Christ Church so long as it exists, IN TRUST to be used for religious and charitable purposes in connection with its present Church premises.

FIFTEENTH. I also give, bequeath and devise my house and lot in said Town of Swansea, formerly occupied by the late Joseph Northam, deceased, said lot lying east of and adjoining the Church lot of said Christ Church, and my house and lot situated in said Swansea lying east of and adjoining the Rectory Lot, so called, of said Christ Church, now occupied by Leroy Davis, unto said Christ Church, to be held IN TRUST to maintain, repair, pay the taxes, insurance and charges of maintenance and upkeep, to hold, manage and control the same, with power to lease and give occupation thereof for a limited term of years, not exceeding ten (10) years in any lease thereof, the last described lot to be and become a part of said Rectory Lot above mentioned; to use the same in connection with and for the benefit of said Christ Church and to use any income therefrom for the general uses and purposes of said Church.

Provided, however, that the said two lots of land last described, shall always be held and used for the benefit of said Christ Church and shall not be sold, mortgaged, conveyed or otherwise disposed of.

SIXTEENTH. I give and devise unto said Christ Church, a certain parcel of land with all the buildings thereon, situate in said Swansea on the northerly side of the road running through said Village of Swansea

and next east of and adjoining the Town Lot, so called, the said lot hereby devised being known as the Turner House and Lot, to it and its successors, IN TRUST nevertheless to maintain, repair, pay the taxes, insurance and charges of maintenance, receive the rents and income, manage and control the same, and to use and apply the net income therefrom for the general uses and purposes of said Church.

SEVENTEENTH. I give and bequeath unto the Trustees of Donations of the Protestant Episcopal Church in the Diocese of Massachusetts, the sum of Thirty Thousand Dollars, IN TRUST, to hold the same as a permanent fund to be known as the "Frank S. Stevens Christ Church Fund" and to pay over the net income thereof unto said Christ Church, in Swansea, to be used and applied by said Church to and for the following purposes, preference to be given in the order named, to wit:

(1) To keep in the best of order and repair the memorial window of my said deceased husband, Frank S. Stevens, in the Church building of said Christ Church, in said Swansea Village, and any and all other memorial windows now in said Church building, or which may be placed in said building in memory of any member of my family, replacing the same if the whole or any part shall become broken.

(2) To keep in repair the said Church building.

(3) To apply to and for the current expenses of said Christ Church.

And I request and direct that a copy of this bequest shall be entered upon the Church records of said Christ Church.

EIGHTEENTH. I give and bequeath unto the Department of Education of this Commonwealth, acting under Chapter 69, Section 3 of the General Laws of said Commonwealth, and Acts in amendment thereof and addition thereto, the sum of thirty thousand dollars, to receive and hold the same for educational purposes, IN TRUST, upon the following terms and conditions, to wit:—to hold the principal as a permanent fund to be named "Mary A. Case Fund", and to pay over the net income thereof annually or more often at the option of said Board unto the Trustees for the time being of the Public Library of said Swansea, to be used and applied by said last named Trustees as follows:—first, to provide and maintain some suitable place in said Library for the manuscripts which I have hereinbefore provided may be given to it; second, to keep in good repair said Library building; third, to purchase new books for said Library, each book to bear a book plate with suitable words to designate the name of

Elizabeth R. Stevens

Coat
+
16

Elizabeth R. Stevens

said
paid
and
dence
as fo
dollar
unto
me, tProv
R. H.of sa
W. H.Capt
the s
dollar

said

of N
of tr

the l

Elizabeth R. Stevens

Com
dollar
Robe
sand
Goff
inve
to th
and
comp

said Fund, viz: Mary A. Case Fund, the cost of said book plate may be paid out of the income of said fund; fourth, to the general care, support and maintenance of said Public Library.

NINETEENTH. I give unto my cousin, Norman S. Case, of Providence, Rhode Island, the sum of forty thousand dollars, and to his children as follows:—ten thousand dollars to Norman S. Case, Jr.; five thousand dollars to John W. Case; five thousand dollars to Elizabeth R. Case, and unto my cousin, Martha Case Arnold, of said Providence, if she survives me, the sum of five thousand dollars.

TWENTIETH. I give unto my friend, Mrs. Cora B. Hoard, of said Providence, but if she does not survive me, then to her husband, Frederick R. Hoard, the sum of five thousand dollars.

TWENTY-FIRST. I give unto my friend, Mrs. Helen P. Haughwout, of said Fall River, but if she does not survive me, to her husband, Velona W. Haughwout, the sum of five thousand dollars.

TWENTY-SECOND. I give unto the three daughters, now living, of Captain Humphrey Schockley, deceased, formerly of said Fall River, or to the survivor or survivors of them at my decease, the sum of three thousand dollars.

TWENTY-THIRD. I give and bequeath unto Alice Wynne Jones, of said Swansea, the sum of one thousand dollars.

TWENTY-FOURTH. I give and bequeath unto Frank Stevens Goff, of New Haven, Connecticut, a namesake of my deceased husband, the sum of two thousand dollars.

TWENTY-FIFTH. I give and bequeath unto Henry H. Goff, son of the late Robert S. Goff, the sum of ten thousand dollars.

TWENTY-SIXTH. I give and bequeath unto B. M. C. Durfee Trust Company, its successors and assigns, IN TRUST, the sum of ten thousand dollars, for the benefit of Robert S. Goff, in memory of his grandfather, Robert S. Goff, deceased, and to said Trust Company the sum of five thousand dollars for the benefit of Guilford Goff, grandson of said Robert S. Goff, to be held and administered as two separate funds, to invest and re-invest, and apply and expend the net income from said funds respectively to the expenses of education of said Robert S. Goff and Guilford Goff for and during such times as each is completing his education, and as each completes his education, to pay the income unrestricted to such bene-

THIRTY-FIFTH. I give unto Peleg Almy and Stanley Nottingham continuing in my employ until my death, unless physically incapacitated as aforesaid, the sum of five hundred dollars to each.

THIRTY-SIXTH. I give and bequeath to said Margaret Duncan the sum of three thousand dollars, if she shall continue in my employ until my death unless physically incapacitated as aforesaid, and I will and direct that if she so desires, her remains may be placed permanently in the Stevens Tomb in the church yard of Christ Church, in said Swansea.

THIRTY-SEVENTH. (1) I give to each of my employees if in my employ at the time of my death, to wit: James Murphy (chauffeur) and John Shay, to each the sum of twenty-five hundred dollars.

(2) I give to John Varney, if in my regular employ at the time of my death, the sum of five hundred dollars, and to Wilfred Varney the sum of two hundred dollars if employed any time during the twelve months prior to my death and to each other person in my regular employ at the time of my death and not hereinbefore named as legatee, the sum of one hundred dollars, but if Robert Weeden is in my employ at the time of my death, I give to him the sum of one thousand dollars.

THIRTY-EIGHTH. I give and bequeath to said B. M. C. Durfee Trust Company the sum of five thousand dollars to be held IN TRUST for the benefit of Frank Shaw Stevens, son of Frank Harold Stevens, to hold, manage and control, invest and reinvest, accumulate the income and add the same to the principal until such time as said Frank Shaw Stevens shall begin his advanced education at some college or scientific school; and thereafter to apply the net income thereof toward the expenses of his education. When the said Frank Shaw Stevens shall attain the age of twenty-six years, said trustee shall pay over to him the principal of the trust, free of all trusts. In case of his decease before attaining said age of twenty-six years, the trust fund shall be paid over, free of all trusts, and become a part of my residuary estate and disposed of as hereinafter provided.

THIRTY-NINTH. I give and bequeath unto the Old Colony Trust Company, of Boston, Massachusetts, and its successors, the sum of two hundred thousand dollars, IN TRUST, to be held as a permanent fund, to be known as the Joseph Case High School Fund, and the income thereof to be paid over annually or more often, at the option of said trustee, unto said Town of Swansea, to be used and applied for the benefit of the Joseph Case High School in said Town, and in the following order, to wit:

Elizabeth R. Stevens

Elizabeth R. Stevens

first,
build
of th
as a
Fall
as a
there
of th
Clim
year
said
pose

Elizabeth R. Stevens

Fall
perm
come
pens
stra
for
ann
used

to b
Hom
Sw
thro
itab
with
incu
the
shal
Fun
dres
tees
use
sum

first, to and for the maintenance, repair and upkeep of said high school building and the land appurtenant thereto; second, to and for the salaries of the principal and teachers employed therein and any sums not expended as aforesaid toward the general expenses of said School.

FORTIETH. I give and bequeath unto the said Union Hospital in Fall River, the sum of one hundred thousand dollars, IN TRUST, to be held as a permanent fund and known as the Stevens Clinic Fund, and the income thereof to be used and applied for the maintenances and general expenses of that part or department of the said Union Hospital known as the Stevens Clinic, and for the repairs on the buildings of said Stevens Clinic. If in any year there is any excess of annual income over the amount required for said purposes, same shall be used and applied to and for the general purposes of said Union Hospital.

FORTY-FIRST. I give and bequeath unto the said Union Hospital in Fall River, the sum of fifty thousand dollars, IN TRUST, to be held as a permanent fund, known as the Robert S. Goff Memorial Fund, and the income thereof to be used and applied for the maintenance and general expenses of that part or department of said Union Hospital which was constructed and equipped by me and known as Robert S. Goff Memorial, and for the repairs and renovation thereof. If in any year there is any excess of annual income over the amount required for said purposes, same shall be used and applied to and for the general purposes of said Union Hospital.

FORTY-SECOND. In case my said sister, Mary A. Case, shall, prior to her death, or by her last will duly allowed, give and devise the Case Home and property occupied by our parents and located in said Village of Swansea on the northerly side of the road running easterly and westerly through said Village, IN TRUST to be held and used for religious and charitable purposes and shall establish and give a trust fund in connection therewith to be known as the Eliza Gray Case Fund in memory of our mother, the income thereof to be used to support and maintain said trust estate and the work therein to be carried on, then I will and direct that my executors shall pay over unto the trustee or trustees of the said Eliza Gray Case Fund the sum of three hundred thousand dollars, of which sum two hundred thousand dollars shall be held and managed by said trustee or trustees as a part of said Eliza Gray Case Fund, the net income thereof to be used and applied for the purposes of said trust, and the balance of said sum, to wit: one hundred thousand dollars may be used and applied by

FIFTY-THIRD. I give and bequeath unto the Anti-Tuberculosis Society of Fall River, a corporation, the sum of ten thousand dollars, to be held as a permanent fund, the income thereof to be used and applied for the general purposes of said Society.

FIFTY-FOURTH. I give and bequeath unto the Ninth Street Day Nursery of said Fall River, the sum of five thousand dollars, to be held as a permanent fund, the income to be used for the general purposes of said Nursery.

FIFTY-FIFTH. I give and bequeath unto the Florence Crittenton League of Compassion, Incorporated, of Boston, Massachusetts, the sum of twenty-five thousand dollars, to be held as a permanent fund, and the income thereof to be used and applied for the purposes of said League.

FIFTY-SIXTH. I give and bequeath unto the Department of Education of said Commonwealth of Massachusetts, the sum of fifteen thousand dollars, to be held and disbursed under the provisions of Chapter 69, Section 3, of the General Laws of this Commonwealth, to be held in trust as a permanent fund, known as the Elizabeth Case Stevens Fund, for the following purposes, namely: to pay over the net income thereof from time to time to the principal for the time being of the State Normal School at Bridgewater in this Commonwealth, who shall expend the same for the purchase of books on psychology and subjects related to the specific department in which the late Albert G. Boyden taught, which books shall be placed in the library of said School. This gift is in grateful remembrance of the said Albert G. Boyden, formerly my teacher and the principal of said School, and each book shall bear the name of said fund and Albert G. Boyden.

FIFTY-SEVENTH. I will and direct that the foregoing gifts, legacies and devises, together with all legacy and succession taxes thereon, shall be paid in full before the payment of any gifts, legacies and devises hereinafter made.

FIFTY-EIGHTH. I give and bequeath to the Trustees of Donations of the Protestant Episcopal Church in the Diocese of Massachusetts, the sum of fifty thousand dollars, to hold the same as a permanent fund to be known as the Stevens Fund, IN TRUST to pay over the income and the income only from time to time unto the Bishop (for the time being) of the Diocese of _____ Massachusetts, to be expended by him in his discretion, to aid needy churches and missions of the Protestant Episcopal

Church in Massachusetts, preference to be given to such needy churches and missions as may be located in said County of Bristol, Massachusetts.

FIFTY-NINTH. I give unto the Domestic and Foreign Society of the Protestant Episcopal Church of United States of America, the sum of fifty thousand dollars for foreign missions.

SIXTIETH. I give and bequeath unto the American Church Institute for Negroes, of New York City, the sum of twenty-five thousand dollars, to be held as a permanent fund, known as the Elizabeth R. Stevens Fund and the income used and applied to and for the general purposes of said Institute.

SIXTY-FIRST. I give and bequeath to Clara C. Prince, a classmate, the sum of one thousand dollars.

SIXTY-SECOND. I give and bequeath to the President and Fellows of Harvard College, in this Commonwealth, the sum of one hundred thousand dollars, to hold the same as a permanent fund, to be known as the Frank Shaw Stevens Fund, to use and apply the income thereof for the uses and purposes of the graduate school of Business Administration of said Harvard College.

SIXTY-THIRD. Whereas under the will of my late husband Frank S. Stevens, deceased, there was created a trust fund now held by the B. M. C. Durfee Trust Company of fifteen thousand dollars, for the benefit of Ida F. Hewitt and James B. Handy, the principal of said trust fund was payable to me as principal legatee under the will of said deceased, I do now give and bequeath the said trust estate and all my right, title and interest therein, to said Rest House, Incorporated, the income to be used for the general purposes of said Rest House, Inc.

SIXTY-FOURTH. I direct and provide that my executors, hereinafter named, shall expend a sum, not exceeding five thousand dollars, to construct and install in the Convent of the Sacred Heart, Philadelphia, Pa., a memorial to Margaret Kirby, known as Mother Kirby, and it is my wish that such memorial shall be a permanent, practical addition.

SIXTY-FIFTH. I give unto the said B. M. C. Durfee Trust Company, the sum of ten thousand dollars, to be held IN TRUST, the income to be paid to said Christ Church, of Swansea, and expended by it for the support of the choir and the music of said Church. In case my said sister has or shall establish a fund for like purposes with said Company, this bequest shall be added to such fund and be known as the Mary A. Case Fund.

Elizabeth R. Stevens

SIXTY-SIXTH. I direct that my said executors shall expend the sum, not exceeding five hundred dollars, in the repair and replacement of the Stevens Memorial Tomb in the church yard of said Christ Church.

SIXTY-SEVENTH. I give and bequeath to my said executors IN TRUST the sum of two hundred thousand dollars, to be held and invested, to pay over the same and accumulated income or a portion or portions thereof from time to time to said Union Hospital of Fall River, if, when and after it shall undertake the erection of a building or buildings to be used as a home or dormitory for nurses, said sums so paid over to be expended by said Hospital for said building or buildings, for the acquisition of land as a site therefor and furniture and equipment thereof. If any portion of said fund is not expended as aforesaid within fifteen years after my death, said unexpended funds shall be paid over and become a part of my residuary estate hereinafter disposed of. Said trustees shall not be responsible for the application of the sums paid by them to said Hospital but shall pay over the same in such amounts, at such times as they deem advisable to aid said Hospital in acquiring said nurses' home. Said sum herein given in trust shall abate by such amounts as I may pay to said Hospital for such purposes, in my lifetime.

SIXTY-EIGHTH. I will and direct that the foregoing gifts, legacies and devises, together with all legacy and succession taxes thereon, shall be paid in full before the payment of any gifts, legacies or devises hereinafter made.

SIXTY-NINTH. I give and bequeath to the Berkshire County Society for the Care of Crippled and Deformed Children, a corporation, the sum of twenty-five thousand dollars, to be held as a fund, the income to be used for the general purposes of said Society.

SEVENTIETH. I give and bequeath to the Northfield Schools, a corporation, the sum of twenty-five thousand dollars, the same to be held as a permanent fund, the income to be used and applied for the general purposes of Northfield Seminary and the Mount Herman School, and the other purposes of said corporation.

Elizabeth R. Stevens

SEVENTY-FIRST. I give and bequeath unto Carney Hospital, a Massachusetts corporation, located in or near Boston, the sum of twenty-five thousand dollars, to be held as a permanent fund to be known as the Frank S. Stevens Fund, the income and the income only to be used for the general purposes of said Hospital.

SEVENTY-SECOND. I give, devise and bequeath all the rest, residue and remainder of my property and estate, real, personal and mixed, of whatever name and nature, wherever situate and however bounded and described, of which I shall die seized and possessed or to which I may be entitled at the time of my decease, as follows, viz:—(a) one-sixth thereof unto said Union Hospital in Fall River, to hold the same as a permanent fund, and to use and apply the income thereof, and the income only, to and for the general purposes of said Hospital, and this fund shall be known as the Frank S. and Elizabeth R. Stevens Fund. (b) one-sixth thereof to the Old Colony Trust Company, aforesaid, and its successors, IN TRUST, to hold the same as a permanent fund, to be added to the Joseph Case High School Fund bequeathed by me in the foregoing Thirty-Ninth Article hereof, the income to be paid over in accordance with the terms and provisions therein set forth. (c) one-sixth thereof unto the Massachusetts Institute of Technology, a Massachusetts corporation, to be held as a permanent fund, to be known as the Albert G. Boyden Fund, the income and the income only to be awarded by said Institute as a scholarship or scholarships to assist worthy and needy student or students at said Institute, preference to be given in making said awards, to young men or women residents of said Town of Swansea or the City of Fall River. (d) One-sixth thereof to Mount Holyoke College, a corporation within this Commonwealth, to be held as a permanent fund, one-half of the income thereof to be awarded by said College as a scholarship or scholarships to assist worthy and needy student or students at said College, preference to be given to making said awards, to young women residents of said Town of Swansea or City of Fall River, and the remainder of said income to be used and applied for the general uses and purposes of said College. (e) One-sixth thereof to Wellesley College, a corporation within said Commonwealth, in or near the Town of Wellesley, to be held as a permanent fund, one-half of the income thereof to be awarded by said College as a scholarship or scholarships to assist worthy and needy student or students at said College, preference to be given in making said awards, to young women residents of said Town of Swansea or City of Fall River, and the remainder of said income to be used and applied for the general uses and purposes of said College. (f) And one-sixth thereof to the Massachusetts Eye and Ear Infirmary, a corporation in or near said Boston, to be held as a permanent fund, the income and the income only to be used and applied for the general purposes of said Infirmary.

Cool II

19

374 38

6. I hereby amend Article Thirty-seventh, paragraph (2) of said will in which a gift of five hundred dollars is made to John Varney, and increase said sum to one thousand dollars, and likewise amend the gift to his son, Wilfred Varney by increasing the same to five hundred dollars.

7. In the Thirty-Eighth Article thereof, I strike out the word "five" and insert in place thereof the word ten, thereby increasing the trust fund for the benefit of Frank Shaw Stevens to ten thousand dollars.

8. I strike out the Seventy-ninth Article thereof, referring to the name of the gift to Mt. Holyoke College, and insert in place thereof the words, to wit:—Whereas in the Seventy-second Article of this will I have made provision for Wellesley College, I desire and request that the fund so received by it shall be known as the Jessie Goff Talcott Fund.

9. I give to the said Town of Swansea, IN TRUST, a tract of land in said Swansea, with the building thereon, now used as a Post Office, said tract to be bounded on the North by the public highway running through said Town; on the east by the fence on the westerly line of my homestead premises; on the south by a wooden fence; on the west by a fence along the easterly line of the premises owned by me now occupied by William Wilcox; containing about 44 square rods; to have and to hold the same in trust as a site for a Post Office, to lease, and give occupation for said purpose, if circumstances permit, and manage, control, pay expenses of maintenance and taxes, if any, and any surplus of receipts to be annually paid over to said Town and expended for its general purposes. In case said premises hereby devised shall not be used for purposes of a Post Office for a period of five years, this devise and trust shall terminate and the property become a part of my residuary estate to be sold and the proceeds disposed of as provided in said Seventy-second Article.

10. Whereas I have given to the Town of Swansea, Massachusetts, a high school building, named Joseph Case High School, in memory of my deceased father, and desire that as fully as conditions may permit, it shall always memorialize his name, and whereas in the Thirty-ninth and Seventy-second Articles of my said will, dated the seventh day of February, 1927, I have provided for the creation of certain trust funds, the income thereof to be disposed of for the benefit of said Joseph Case High School, as set forth in said Articles, now therefore I do amend said Articles by adding at the end of said Thirty-ninth Article the following, to wit:—that said trust shall terminate and cease upon the occurring of any of the following contingencies, viz:—

(1) If the name of said building, viz: "Joseph Case High School", shall be changed, or

(2) If the public authorities having the lawful care and control of said building shall remove or cause to be removed the name "Joseph Case High School" from the exterior thereof, substantially as the same now appears, or

(3) If, by action of the School Committee of said Town, or any person, persons or body exercising the duties of School Committee, or of any lawful authority, the organization of the said School shall be known by any other name or description than that of the Joseph Case High School; or

(4) If the name thereof, "Joseph Case High School", shall cease to be used by such public authorities as aforesaid in referring to said building in public announcements, reports and records, and in the diplomas awarded to those who have pursued therein the studies for which said diplomas are awarded, or

(5) If, said building shall cease to be used for the purpose of a public high school,

and upon the termination of said trust or trusts for any of the causes above set forth, the trust funds shall be divided and paid over in equal portions, to the other five residuary legatees named in said Seventy-second Article, to be added to and become a part of their several respective trust estates to be held and disposed of as therein provided.

Said trustee shall be under no duty to ascertain or determine whether or not any of said contingencies occur, but in the event that it shall appear to said trustee that one or more of the aforesaid contingencies may have occurred, then said trustee shall withhold payment of the income until such time as the court or courts having jurisdiction thereof shall finally determine whether or not said trust has terminated. Until there has been a final determination by the court or courts having jurisdiction thereof, said trustee shall in no way be liable for the payment or non-payment of said income and in no event shall said trustee be liable for any loss unless it shall happen through its own wilful neglect.

11. In case I have not completed in my lifetime the gift of the Joseph Case High School to the Town of Swansea, I do give, devise and bequeath to said Town all my right, title and interest in and to the said High School building and all furniture and equipment therein and purchased by me to be placed therein.

Elizabeth R. Stevens

Elizabeth R. Stevens

12. I give and bequeath to said Town of Swansea, the sum of one hundred thousand dollars (\$100,000) IN TRUST, to hold the same as a permanent fund, to be known as the Frank S. Birch Fund; to invest and reinvest and use and apply the income thereof to and for the preservation and care of the trees in the highways in the Village of said Swansea, and also for the care, maintenance and improvement of the highways within said Village of Swansea.

13. I give to Ellen and Mary Nottingham, daughters of Stanley Nottingham, to each the sum of five hundred dollars.

14. I give the engraved and photograph portrait of Abraham Lincoln and the framed photograph of Henry Vaughan, architect of Christ Church and the Public Library, to the Swansea Public Library.

I give the old prints, the "California Stage Company" to Frank Shaw Stevens, son of Frank Harold Stevens.

The said gifts of said pictures shall be effective as inserted to follow Article Second of said will.

15. Whereas in the Tenth Article of said will I have provided for a fund, the income of which shall be used for the care of the tomb and burial place of Frank S. Stevens in Christ Church yard, I now provide that said fund shall be added to and become a part of the fund now held by said Town of Swansea created for the aforesaid purposes under the will of the late Frank S. Stevens.

16. I hereby amend the Seventeenth Article of said will relating to the trust for the benefit of said Christ Church by adding thereto the following to immediately follow sub-paragraph (1), to wit:—To keep in good condition and replace, if it shall deem advisable, the trees in the Church yard of said Christ Church.

17. Whereas in said will I have provided that Stanley Nottingham, now in my employ, shall have the free use and occupation of the dwelling house where he now resides in said Swansea during the life of said trust estates, I now further provide that said Stanley Nottingham shall have and enjoy an estate for the term of his natural life, which I do hereby give and devise to him in and to the said dwelling house where he now resides and the lot of land appurtenant thereto, being about thirty-eight feet wide on the State Highway and one hundred sixteen feet in depth, and now used by him in connection with said house, and I hereby give and bequeath to said B. M. C. Durfee Trust Company, of Fall River, Massachusetts, the sum of ten thousand dollars, to be held as a fund to disburse

+ Cont II
16

Elizabeth R. Stevens

Fifth: I give and bequeath to Mrs. Etta Cleveland, of Somerset, Massachusetts, the sum of Five Hundred Dollars (\$500.00).

Sixth: I amend the Forty-fifth Article of said will by striking out the words "fifty-five" and substituting in place thereof the words "seventy-five", thereby increasing the gift to the Rest House, Incorporated, to Seventy-five Thousand Dollars (\$75,000) and by adding at the end of said paragraph after the words "real estate" the following, to wit:—and the excess of income, if any, over and above what is applied and expended for the aforesaid purposes, may be used for the general current expenses of said Rest House, Incorporated.

Seventh: I give and bequeath to the Rhode Island Hospital Trust Company, of Providence, Rhode Island, the sum of Twenty-five Thousand Dollars (\$25,000.00) to be held IN TRUST, to hold, manage and control the same, to invest and re-invest, with power of sale, at public or private sale without license of the Courts, to pay over the net income at regular intervals at least quarterly to my said cousin, Norman S. Case, and after his death to his widow, and after the death of his widow, or his death, if he leave no widow, then to his issue in equal shares. This trust shall terminate at the expiration of twenty-one years after the death of said Norman S. Case, and the trust funds shall be paid over, free and clear of all trusts, to the then beneficiary of the income, or if more than one beneficiary, in equal shares to the beneficiaries. The issue of any deceased child of said Norman S. Case shall take the share of deceased of income and principal by right of representation. This gift shall be effective as following the Nineteenth Article of said will.

Eighth: In the Fifth Article of said will, I insert after the words "Public Library" in the fourth line of the last complete paragraph on page seven, and after the word "Library", the last word of said paragraph, the words "and Joseph Case High School".

Ninth: I amend the Thirty-second Article of said will by inserting after the words "to the date of my death" in the second and third lines of said paragraph, the following, "and to the death of my said sister should she survive me:" and further amend said Thirty-second Article by adding at the end thereof the following, viz: "Said payment to said Stanley Nottingham shall begin at the death of my sister, should she survive me, otherwise at my death, and any accumulation of income shall be added to the principal of said trust fund".

Elizabeth R. Stevens

Elizabeth R. Stevens

Elizabeth R. Stevens

Tenth: I give and bequeath to Mrs. Emma Arnold Case, wife of my cousin, Norman S. Case, the silver and mahogany tea tray and the pieces of silverware belonging to it, viz: cream pitcher, sugar bowl (each marked "E. R. S.") silver plaque, and tray of spoons and two china cups and saucers.

Eleventh: I give and bequeath to said Emma Arnold Case my set of four silver candlesticks, used in my dining room.

Twelfth: I give and bequeath to Mrs. Frank Harold Stevens, a lady's gold bag and attached long gold chain.

Thirteenth: I amend the Twenty-second Article of said will by striking out the word "three" in the last line thereof and substituting in place thereof the word, "five", thereby increasing the legacy to Five Thousand Dollars (\$5000.00).

Fourteenth: I amend the Forty-ninth Article of said will by striking out the word "ten" in the third line thereof and substituting the word, "five" in place thereof, thereby bequeathing to said corporation the sum of Five thousand dollars (\$5000.00).

Fifteenth: I give and bequeath to said Christ Church of Swansea, the sum of one thousand dollars (\$1000.00) to be expended by said Church in acquiring a suitable memorial to be placed in said Church in memory of my deceased friend, Mary H. Kelton, provided, however, if I, in my lifetime, shall have placed a memorial to her in said Church, this bequest shall be null and void.

Elizabeth R. Stevens

Sixteenth: Whereas in paragraph Twelve of said Codicil dated July 22, 1927, I have given a sum in trust to the Town of Swansea, the income to be used for care of trees in said Swansea, I now do cancel and strike out said paragraph and the bequest therein made.

Seventeenth: I give and bequeath the book case in the hall on the second floor of my home and the marble bust "Mignon" which stands on said book case to the Swansea Public Library.

Eighteenth: I amend the Eighth Article of said will by inserting after the words "IN TRUST nevertheless" in the fifth and sixth lines on page 15, the words, "to be held, used, applied and disposed of, and."

Nineteenth: I amend the Seventy-Second Article of said will, as follows, viz: in the clause marked (a) I strike out the word "Sixth" and insert in place thereof the word: fourth, thereby increasing the share of the Union Hospital in the rest and residue from one-sixth to one-fourth, and in clause (b) thereof, I strike out the word "sixth" and insert in place