

Trusts and Other Dispositions Benefiting Waterbury Hospital

Addendum to B. Third Party Trustee

1. W. Easton Smith Will dated 5/31/44

I, W. EASTON SMITH, of Waterbury, County of New Haven, State of Connecticut, do make and constitute this my Last Will and Testament, hereby revoking all wills by me heretofore made.

1. I direct that all my just debts and funeral expenses be paid by my Executor hereinafter named.

2. I give and bequeath to CORNELIUS LUCIAN, of said Waterbury, should he survive me, the trade and business carried on by me at No. 47 Center Street, in said Waterbury, and known as "The China Shop", including the goodwill of said business, all stock in trade, merchandise, fixtures and effects belonging thereto, the benefit of all contracts subsisting in respect of said business and all book debts and moneys due to me in respect thereof, or standing to the credit of said business account at my bank at the time of my decease, and the leasehold interest in said premises; provided and on condition that the said CORNELIUS LUCIAN shall discharge and indemnify my general estate from all debts and liabilities due or subsisting in respect of the said business at my decease or thereafter to become due, and if required by my Executor, shall enter into a bond or covenant in that behalf. I further authorize and instruct my Executor to deliver and transfer said business to the said CORNELIUS LUCIAN immediately after my death, so that this gift shall become effectual as of the date of my death. I further direct that this bequest shall not be subject to contribution or diminution as set forth in Paragraph 14 of this Will.

3. I give and bequeath to Riverside Cemetery Association, of Waterbury, Connecticut, the sum of Six Hundred Dollars (\$600.00), to be held as a perpetual fund, the income only thereof to be used for the care of my cemetery lot, also the monument and markers thereon, the balance of said income not required for said purpose to be used for the care of the William Perkins Lot in said Cemetery.

4. I give and bequeath to my Executor hereinafter named all my household furniture and furnishings, books, pictures, wearing apparel and all articles of a similar and personal nature, to be disposed of in accordance with a written memorandum on file with this Will.

5. To each of the persons hereinafter named, I give and bequeath the following sums, the same to be to each of them absolute

To LUCY G. RICH, of said Waterbury, if living, the sum of Two Thousand Dollars (\$2,000.00).

To CORNELIUS LUCIAN, of said Waterbury, the sum of Seven Thousand Dollars (\$7,000.00).

To SABINA CALLAHAN LATTIN, of Franklin, New York, the sum of Three Thousand Dollars (\$3,000.00).

To MARY PERKINS WILLIAMS, wife of David A. Williams, of said Waterbury, the sum of Six Thousand Dollars (\$6,000.00).

To ALICE PERKINS JOHNSON, sister of Mary Perkins Williams, the sum of Six Thousand Dollars (\$6,000.00).

To such of the children of DAVID A. and MARY PERKINS WILLIAMS, of No. 186 Perkins Avenue, Waterbury, Connecticut, as may be living at the time of my decease, the sum of Two Thousand Dollars (\$2,000.00) each.

To LAURA HARVEY, of said Waterbury, if living, the sum of Five Thousand Dollars (\$5,000.00).

To LENA L. DOWNEY, of Middlebury, Connecticut, the sum of Five Thousand Dollars (\$5,000.00).

To WILLIAM J. KELLY, of Harwichport, Cape Cod, Massachusetts the sum of Three Thousand Dollars (\$3,000.00).

To ANNA METZ, of said Waterbury, now a teacher at St. Margaret's School, Three Thousand Dollars (\$3,000.00).

To MILDRED C. O'BRIEN, wife of John M. O'Brien, of Naugatuck, Connecticut, the sum of Three Thousand Dollars (\$3,000.00).

Should any of the above named persons predecease me, I direct that the legacy herein given to him or her become a part of the rest and residue of my estate, and be distributed as such.

6. I give and bequeath to The Waterbury Hospital, of Waterbury, Connecticut, the sum of Five Thousand Dollars (\$5,000.00), in trust, however, to be known as "The Howard Easton Smith Fund", to be applied to the establishment of a free room in said hospital, for the use of such person or persons as may be designated by the Rector in charge for the time being of St. John's Protestant Episcopal Church, of said Waterbury.

7. I give and bequeath to St. John's Parish of the Protestant Episcopal Church, of said Waterbury, the sum of Five Thousand Dollars (\$5,000.00), to be known as "The Howard Easton Smith Fund", and added to its permanent fund, the income only thereof to be used for the general purposes of said Parish.

8. I give and bequeath to The Colonial Trust Company, of Waterbury, Connecticut, the sum of Five Thousand Dollars (\$5,000.00), in trust, however, to hold, manage, invest and reinvest, and pay over the net income thereof semi-annually to the Waterbury Visiting Nurses Association, of said Waterbury, for its general purposes, said fund to be known as "The Howard Easton Smith Fund".

9. I give and bequeath to The Colonial Trust Company, of Waterbury, Connecticut, the sum of Five Thousand Dollars (\$5,000.00), in trust, however, to hold, manage, invest and reinvest, and pay over the net income thereof semi-annually to the Waterbury Day Nursery Association, of said Waterbury, for its general purposes, said fund to be known as "The Howard Easton Smith Fund".

10. I give and bequeath to The Colonial Trust Company, of Waterbury, Connecticut, the sum of Five Thousand Dollars (\$5,000.00), in trust, however, to hold, manage, invest and reinvest, and pay over the net income thereof semi-annually, to The Waterbury Council of Boy Scouts of America, of said Waterbury, for its general purposes said fund to be known as "The Howard Easton Smith Fund";

11. Should any of the corporations, institutions or organizations named as beneficiaries of the trust created by Paragraphs 8, 9 and 10 of this Will, dissolve, terminate or cease to carry on their corporate purposes, I direct that the income otherwise to be paid to such corporation, institution or organization shall thereafter be paid to The Waterbury Hospital, of said Waterbury, for its general purposes.

12. Should my estate be insufficient to pay all of said legacies and bequests in full, I direct that they be reduced in such proportion as they bear to the amount of my estate, but if my estate be more than sufficient to pay all claims, expenses and legacies hereinbefore set forth, I direct that any rest and residue there may be shall be divided among the corporations, institutions and organizations named in Paragraphs 6 to 10, inclusive, of this Will, in such proportions as the legacies hereinbefore given to them bear to the total of said rest and residue, to be similarly paid over or held in trust.

13. I direct that all gifts, bequests and legacies herein given shall be paid in full, free from all succession or inheritance taxes, whether State or Federal, and that all such taxes shall be borne and paid by my Executor out of my general estate.

14. I appoint The Colonial Trust Company, of Waterbury, Connecticut, Executor of this Will, without bonds. I further hereby authorize and empower said The Colonial Trust Company as such

Executor and as Trustee of all trusts herein created, in its discretion, to sell, exchange, transfer or otherwise dispose of or retain any and all property, real or personal, from time to time acquired by it in either capacity, and to invest and reinvest the proceeds of any property, real and personal, in such securities as it may deem wise, including stocks, bonds and other securities, or in a common trust fund established by it pursuant to any statutes now or hereafter created, expressly directing that it shall not be confined to investments permissible by law for trustees, and I do hereby declare that it shall not be liable for any loss resulting to my estate or to the trust funds held by it from any investment or reinvestment made or retained by it in good faith. I further authorize said The Colonial Trust Company, both in its capacity as Executor and as Trustee, to vote upon any and all stocks held by it in such capacities, and to sell, mortgage or lease any or all of my real property, without an order of court, and to execute and deliver such deeds and instruments as may be necessary thereto. I further authorize said The Colonial Trust Company, as such Executor, in its discretion to make distribution of my estate by transferring money, securities or other property as it may deem advisable at the market value thereof as determined by it at the time of such distribution, and its judgment therein shall be binding and conclusive on all parties.

IN WITNESS WHEREOF, I have hereunto set my hand and seal, this 31st day of May, A.D. 1944.

W. EASTON SMITH (SEAL)

Signed and sealed by the within named Testator, W. EASTON SMITH, and by him declared to be his Last Will and Testament in our presence who have hereunto subscribed our names as witnesses in his presence and in the presence of each other, and at his

request, this 31st day of May, A.D. 1944.

GERTRUDE L. SNAGG }
LENA W. BOISVERT } Witnesses.
GUSTAV A. ANDERSON }

STATE OF CONNECTICUT: SS. Waterbury May 31st, A.D. 1944
COUNTY OF NEW HAVEN :

Be it remembered that on this 31st day of May, A.D. 1944, before me, ROBERT S. WALKER, a Notary Public within and for the State of Connecticut, personally appeared the undersigned, who, being duly sworn, severally make oath and say that they witnessed the within will of the within named Testator, W. EASTON SMITH, and subscribed the same in his presence and at his request, and in the presence of each other; that the said W. EASTON SMITH at the time of the execution of said will appeared to them to be of full age and of sound mind and memory; that he signed said will and declared the same to be his Last Will and Testament in their presence, and that they make and sign this affidavit at the request of said Testator.

GERTRUDE L. SNAGG of Waterbury, Conn.
LENA W. BOISVERT of Waterbury, Conn.
GUSTAV A. ANDERSON of Middlebury, Conn.

Subscribed and sworn to before me, the day and year above written,

ROBERT S. WALKER
Notary Public.

STATE OF CONNECTICUT }
DISTRICT OF WATERBURY } SS. Probate Court March 4 19 46
The above and foregoing is a true copy of the original on file in this Court.
Attest: [Signature] Judge
Ass't Clerk