

E. D. SAYRE'S WILL.

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I, Ephraim D. Sayre, of Lexington, Kentucky, do hereby make and publish this my last will and testament, hereby revoking every other will heretofore made by me.

First.- I give to my beloved wife Mary E. Sayre the residence and lot where we now live at the east corner of Mill and Church Streets in Lexington, including all improvements thereon; and also all the furniture, plate, pictures, ornaments, etc., belonging to said residence or any building on said lot, and all the personal effects in or about said residence and pertaining thereto, whether intended for use or ornament; so that at my death she shall become the absolute owner, as I now am, of said residence and grounds and of all the furniture and personal effects connected with or used about said residence. I also give to her any carriages and carriage horses owned by me at my death. In addition to the above, I also give to my said wife one hundred thousand dollars (\$100,000), to be selected by her or by my Executor of her out of such stocks, bonds, or securities as may be deemed safest and best for her, to be taken by her at their par or face value and without any charge against her for the premium thereon because of the market value thereof being in excess of the par value. Where there are any unmatured interest coupons or dividends on such securities or stocks selected by or for her, such accruing or unpaid interest and dividends shall also pass to her as an incident to said securities or stocks.

Second.- I give to my servants Jim Smith and Nancy Walker, to each the sum of five hundred dollars (\$500.00). I hold the note of Nancy Walker for two hundred and fifty dollars (\$250.00), which is to be charged against her legacy.

Third.- I direct all the residue of my property of every kind, not above disposed of, to be divided into five equal parts; one of said parts shall belong, in equal shares, to the children of my deceased daughter, Mrs. E. S. Courtney, and the other four parts severally to my four children, Mrs. Sidney S. Cary, J. W. Sayre, Mrs. Minnie S. Williams, and E. D. Sayre, Jr., each taking an equal portion. I have

made considerable advancements to my several children, but I wish no account taken of any advancement to any of them except where I hold their notes for same. I wish when I hold the notes of any of my children that the same shall be paid as in the case of any other debtor, or that the same shall be charged to the makers thereof in the division between my children. Except where such notes are held by me at my death I wish no charges made against any of my children. Any notes held by me against any of my children shall be a first charge against such child's portion of my estate; and after such notes to myself are paid any portion of any of my children shall be subject to a further charge for the payment of any note such child may owe to the Bank of D. A. Sayre & Co.

Fourth.- All devises to my sons under this will shall be paid and delivered directly to them as their absolute property, to do with as they choose. The share of the children of my deceased daughter, Mrs. Courtney, shall also be paid over directly to them as their absolute property, except my Executor, as Trustee, shall hold the shares of any who are infants at my death till they severally attain the age of twenty-one years, and shall use and invest the same for their benefit in accordance with the best judgment of said Executor. The portions of each of my daughters under this will shall be held by my Executor as their Trustee for and during their lives, the principal of the trust fund at the death of my daughters to go to their respective issue, if any; and if either of them die without leaving surviving issue, her share shall pass to her brothers and sisters then living and the issue of such as may be dead, the issue in such case to take the share the parent would have taken if alive. But each of my daughters shall in any event have the power by last will to devise to any one she may choose one-fourth ($1/4$) of her share of my estate under this will. My Executor is authorized to invest said shares of my estate held in trust for my daughters and to reinvest and to change investments in their discretion, avoiding, however, all speculative investments; and if any loans are made for a longer time than six months, such loans must be secured by safe collateral or by mortgage on real estate amply sufficient in value

to secure the loan. The Executor, at the request of either of my daughters, may invest a portion of her funds in real property and place her in the possession and enjoyment thereof. All the net income of their several portions shall be paid over to my said daughters semi-annually, and their separate receipts, whether they be married or single, shall be a sufficient acquittance to the Trustee.

Sixth.- I nominate and appoint as my Executor The Security Trust & Safety Vault Company of Lexington, Kentucky, and desire that no security shall be required of it in qualifying as Executor or Trustee under this will. I give to my Executor the power to adjust, compromise, or arbitrate any claims or demands in favor of or against my estate; also to sell and convey any of my real property except that above devised to my wife, and to make conveyance and releases of real estate in fulfillment of any sales or contracts I may have made during my life.

In testimony whereof, I hereto subscribe my name and publish this as my will this 27th day of February, 1899.

E. D. SAYRE.

Subscribed by the testator, E. D. Sayre, and acknowledged by him as his will in our presence, and attested by us at his request, and in his presence, and in the presence of each other, this Feb'y. 27th, 1899.

A. O. HODGES,
J. D. HUNT.

Copy of
Will of E. D. Sayre

I, Mary E. Sayre, of Lexington, Kentucky, do make and publish this my last will and testament.

I direct the share of my estate above set a part to the children of my deceased daughter, Mrs. Courtney, to be divided as follows: To my son, J. Will Sayre, I give to each the sum of Three Hundred Dollars; to my daughter, Minnie S. Williams, I give Fifty (\$50.00) Dollars; I also give Fifty (\$50.00) Dollars to Jane Mason (col.) an old family servant; and Fifty (\$50.00) Dollars to my cook, Laura Lewis, (col.)

2. After the payment of the above legacies, and the payment of my funeral expenses and of any debts I may owe, I direct that the residue of my property, in whatever it may consist, shall be divided into four (4) equal parts, one for the benefit of my daughter, Sidney S. Cary, another to my daughter, Minnie S. Williams, another to my son, J. Will Sayre, and the other to the children of my daughter, Elizabeth S. Courtney, deceased, as hereinafter directed. If I shall at my death hold the note of any of my legatees, or if I shall become surety or otherwise bound for any of them for debts which I or my estate shall be required to pay, then I direct that the amount of such note or notes, without interest, or the amount so paid by me or my estate on said account, shall be charged to the share of such legatee, and be accounted for out of his or her portion before the division herein provided. There is also an understanding between myself and my daughter, Mrs. Cary, in consideration of certain obligations assumed by me in closing up the business of the Banking House of David A. Sayre & Co., that she in case it should become necessary would supplement my income in a manner to provide for my suitable support. If she should on that or other account have advanced me moneys to any amount not repaid before my death, I wish such advances, with interest

(#2)

from their date, to be repaid to her out of my estate, before the equal division above provided for.

3. I direct the ~~share~~^{share} of my estate above set a part to the children of my deceased daughter, Mrs. Courtney, to be divided between them as follows: To my two grandsons, E. Sayre Courtney and Robert Hugh Courtney, I give to each the sum of Three Thousand (\$3000.00) Dollars. The residue of that portion I direct to be divided equally between their sisters, Mary W. Courtney and Elizabeth Sayre Courtney; but if it should happen that the shares of the said girls under this provision should turn out to be less than Three Thousand (\$3000.00) Dollars each, I wish their said deceased mother's portion to be equally divided among all ~~four~~^{four} of said children. I wish it understood that the difference above made in favor of my female grand-children is not due to any difference in my love for all of them, but because as females they are more dependent and as a rule less able to provide for themselves.

I also direct that the shares under this will of my said grand-daughters Mary W. Courtney and Elizabeth Sayre Courtney, shall be placed in the hands of my Executor as Trustee, to hold for the benefit of said beneficiaries, viz: Marty W. Courtney and Elizabeth Sayre Courtney, for an during their respective lives, the income to be paid over to said beneficiaries as received, and at their death to go to their respective heirs at law, or legal distributees, unless they, or either of them, shall dispose of the said Trust Estate by will, which they are each empowered to do at their discretion.

The Trustee shall to the best of his discretion, make the Trust Estate in his hands profitable as far as consistent with safety, and shall pay the net income to the beneficiaries when received. The Trustee may invest and reinvest the Trust Estate at his discretion, may sell and

2. I direct the sale of my estate upon my death to the children receiving part of that estate and I desire to give them the same as they may desire to be left to me out of my estate, before my death.

(#3)

dispose of any part of it whether real or personal at discretion, and reinvest in such other property or securities as are deemed safe and proper. Except in the case of my said two grand-daughters, all the other bequests in this will are made directly to the several beneficiaries, as their absolute estate, to do with as they choose.

4. I nominate and appoint The Security Trust & Safety Vault Company of Lexington Kentucky, as my Executor and also as Trustee of my two grand-daughters, Mary W. Courtney and Elizabeth Sayre Courtney. I empower my Executor to sell and dispose of at private or public sale any of my property whether realty or personalty, and to make proper and legal conveyances thereof. My Executor is authorized to settle or compromise at its best discretion any claims for or against my Estate. I do not desire that said Trust Company shall be required to give any surety on its bond as Executor or Trustee.

IN TESTIMONY WHEREOF I publish this as my will and hereto subscribe my name, this eleventh day of April 1900.

Mary E. Sayre.

The above writing is this day subscribed and acknowledged as her will by Mary E. Sayre in our presence, and is attested by us in her presence and at her request this 11th of April 1900.

J. D. Hunt.
R. T. Anderson.

CODICIL TO MARY E. SAYRE'S WILL.

I Mary E. Sayre, do make this supplement and codicil to my will this day published. My son J. Will Sayre is now indebted much beyond his means of payment, and as I am informed is seeking a discharge in the Bankruptcy Courts. If he should for any reason fail to be discharged from his debts, or if he should not be discharged in my lifetime, I direct that the portion of my estate which is bequeathed to him in my said will, shall go to his children in equal shares, subject however to any charge that may exist against his portion on account of advance if any or by reason of any obligation contracted as surety for him as set forth in the original will. If said J. Will Sayre shall obtain a discharge from all his debts, this writing shall be no longer of any force, and the portion intended in my said will for him shall go as is therein directed.

IN TESTIMONY OF WHICH I publish this codicil to my said will and hereto subscribe my name the 11th day of April 1900.

Mary E. Sayre.

The above writing is this day subscribed and acknowledged as a codicil to her will by Mary E. Sayre in our presence, and is attested by us in her presence, and at her request this April 11th 1900.

J. D. Hunt.

R. T. Anderson.

Copy of Will of
Mrs. Mary E. Skye

BASIS OF DISTRIBUTION OF ESTATE OF MRS. MARY E. SAYRE.

Securities on hand:

110 shares Nat. Bank of Kentucky, of which it is proposed to distribute 108 shares at appraised value, \$191, - - -	\$20628.
73 shares of Security Trust & S.V.Co., of which it is proposed to distribute 72 shares at appraised value, \$152, - - -	10944.
Balance in cash, - - - - -	328.03
Investments made by Ex'or. at their face value, - - - - -	7500.
Over payment to J. W. Sayre in previous distributions, - - -	3504.08
" " " S. S. Cary " " " " " " " " " " " "	10.55
	<u>\$42914.66</u>

It is proposed to reserve 2 shares of Nat. Bank of Kentucky stock, and 1 share of Security Trust & S.V.Co. stock, the amount of accrued interest on the \$7500 of securities, and a cash balance of, - - - - -

	909.66
Leaving to be paid out, - - - - -	<u>\$42005.</u>

The Executor's commission is placed at, \$2000.
 Costs of settlement, - - - - - 5.00
 Leaving for distribution, - - - - - \$40000.

or \$10,000 to each branch of the family.

This distribution is to be made as follows:

To Mrs. S. S. Cary, - - - - -	\$10000
Less amount of over payment to her in previous distribution, - - - - -	<u>10.55</u>
	<u>\$9989.45</u>

To be composed of:

27 shares Nat. Bank of Ky. at \$191, - - - - -	\$5157.
18 shares Security Trust & S.V.Co. at \$152, - - - - -	2736.
Cash, - - - - -	\$2096.45
Less legacy tax, - - - - -	<u>161.25</u> 1935.20
Legacy tax, - - - - -	<u>161.25</u> <u>\$9989.45</u>

To Minnie S. Williams, - - - - - \$10000.

To be composed of:

27 shares Nat. Bank of Ky. at \$191, - - - - -	\$5157.
18 " Security Trust & S.V.Co. at 152, - - - - -	2736.

Cash, - - - - -	\$2107.
Less legacy tax, - - - - -	<u>161.25</u> 1945.75
Legacy tax, - - - - -	<u>161.25</u> <u>\$10000.</u>

To Trust Company in trust for E.B.S. & M.W. Courtney under will of Mrs. Mary E. Sayre, - - - - - \$10000.

To be composed of the same items as compose the distribution to Minnie S. Williams, *except there is no legacy tax on their portion*

To J. W. Sayre, - - - - -	\$10000.
Less amount over paid him in previous distributions, - - - - -	<u>3504.08</u>
	<u>\$ 6495.92</u>

*Receipt book
 66
 4084*

To be composed of: Legacy tax, - - - - -	161.25.
18 shares Trust Company, at \$152, - - - - -	<u>\$2736.</u>
27 " Nat. Bank of Ky., at \$191, - - - - -	<u>5157.</u>
	<u>\$8054.25</u>
Amount to be refunded by him, - - - - -	<u>1558.33</u> <u>\$ 6495.92</u>