

WILL OF JAMES R. SHALER, DECEASED.

I, James R. Shaler, of Chattanooga, Tennessee, being of sound mind and memory, do hereby make and declare this to be my last Will and Testament.

I give and bequeath all of my estate, real and personal whereof I may die seized and possessed to "The Chattanooga Savings Bank" of Chattanooga, Tennessee, and my brother "Charles Shaler" to have and to hold the same upon the uses and trusts as follows, to wit: In trust to pay all of my lawful debts and funeral expenses, and the cost of a simple monument not to exceed five hundred dollars in value (\$500.00); Secondly, to pay to my wife, Virginia E. Shaler, upon her sole and separate receipts, the interest, income and revenue of my said estate during the term of her natural life.

At her death I wish the following disposition to be made of my estate: to my brother, Charles Shaler, for the use of his children, such sums of money as may have been received by me, or may be due to me, from the Estate of my Mother, Mrs. Mary Anne Shaler. (This may amount to Fifteen thousand (\$15,000.00) dollars, more or less,)

- To the nephew of my wife, George McDerby, five thousand dollars (\$5,000.00)
- To the grand nephew of my wife, Roger Derby Black, five thousand dollars (\$5,000.00)
- To my sister, Lucy Shaler Hodges, five thousand dollars (\$5,000.00)
- To my sister, Louise Shaler Allen, one thousand dollars (\$1,000.00)
- To my namesake, James Shaler Hodges, one thousand dollars (\$1,000.00)
- To my God-child Anna Gordon Smith, one thousand dollars (\$1,000.00)
- To Sophie Ross Riddle, (of Louisville, Ky.) one thousand dollars (\$1,000.00)
- To Percy Gamble Black (God-son) one thousand dollars (\$1,000.00)
- To Roger Shaler Bagnall (God-son) five hundred dollars (\$ 500.00)
- To James Forrester Swett, Troy, N. Y. five hundred dollars (\$ 500.00)
- To the Congregation of Christ Church (P.E.) of Chattanooga one thousand dollars (\$1,000.00)
- To St. Lukes Hospital, St. Louis, Mo. to be added to a bequest to be made by my wife, Virginia E. Shaler for a memorial, three thousand dollars (\$3,000.00)
- To "The Trustees for the relief of Widows and Orphans" of deceased clergymen and of aged, infirm and disabled clergymen of the Protestant Episcopal Church of the United States of America, a corporation created in the year 1855, by Chapter 459 of the laws of the State of New York, five thousand dollars; which last named sum, shall be paid over to the proper officer in charge of said fund.) \$5,000.00
- To Julia, daughter of late Fred Smith, one thousand dollars (\$1,000.00)

In case the value of my estate should not prove sufficient to pay in full the amounts herein specified, then and in that case my Executor and Trustee are hereby authorized & directed to reduce the amounts, directed above to be paid to each devisee, pro-rata, as they deem necessary and equitable, EXCEPT that the sum realized from the Estate of Mrs. Mary Anne Shaler shall be paid in full to my brother, Charles Shaler, and the sum devised to St. Lukes Hospital, St. Louis, Mo. (\$3,000.00) shall also be paid in full.

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If, however, the amount that is realized from my Estate should exceed in value the sums herein appointed & devised, it is my wish and direction that the residue shall be paid over to Mary Goodner Smith, widow of the late C. Shaler Smith of Augusta, Georgia, or in case of her death to her heirs.

And, I hereby give my Executors & Trustees full power and authority to sell any of my real estate and all other property of whatsoever character at private or public sale and to reinvest the proceeds thereof, or lease the same as they may deem best and most advantageous for the purpose of said Trust.

And, I nominate, constitute and appoint my said Trustees The Chattanooga Savings Bank and the said Charles Shaler, Executors of this my last Will & Testament hereby revoking all other instruments of like nature and effect heretofore made by me; and I desire that no bond shall be required of my brother Charles Shaler either as Trustee or Executor hereunder. In witness whereof I have hereunto subscribed my name this 25th. day of June, 1903 at Louisville, Ky.

J. R. Shaler.

CODICIL.

I bequeath to Elizabeth Forsyth four thousand dollars (\$4,000.00) to be paid to her or her heirs and assigns by my administrator on the death of my wife should my wife survive me, otherwise on my death. In the case the sum total of all the bequests made by me exceeds the total value of my Estate each of the bequests except those herein before specially excepted is to be reduced pro rata to fulfil as near as possible the wishes hereinbefore expressed by me for the distribution of my Estate.

J. R. Shaler.

We the undersigned, in the presence of the testator, and at his request, and in the presence of each other, have hereunto set our signatures as attesting witnesses to the last will and testament of the testator and the codicil thereto this fifth (5) day of December, A. D. 1906.

Anna R. Phelps
Fremont Swain

Filed Sept. 28, 1910.

Pro. Rec. #14/ 34,35,80-1-2 & 3.