

LAST WILL AND TESTAMENT of FLORENCE SCOTT LIBBEY

ITEM XI. All the rest, residue and remainder of my estate, real and personal, whether by me now owned, or hereafter acquired, and wheresoever situate, together with all lapsed legacies, I give, devise and bequeath unto Charles Justus Wilcox and Julian H. Tyler, both of said City of Toledo, and unto Willem A. Gosline, Jr., now residing in Perrysburg, County of Wood, State of Ohio, and unto the survivors and survivor of them, and unto their respective successors as Trustees, (heretofore referred to as "Trustees"), but in trust nevertheless, and upon the uses and trusts following, to-wit:

The same and every part thereof to have, hold, manage, control, dispose of, invest and reinvest, and the income therefrom, beginning one month after my decease, to distribute and pay as follows:

Unto my nephew, Leonard G. Ten Kyok, if he survives me, the sum of Five Thousand Dollars (\$5,000.00) per year, payable in equal monthly installments during his life time and unto his wife, Amelia Armbruster Ten Eyck, the sum of Five Thousand Dollars (\$5,000.00) per year, payable in equal monthly installments, so long as she lives with her said husband as his wife; and unto my cousin, Jessie BrOmA now residing at South Pasadena, State of California, the sum of One Hundred Dollars (\$100.00) per month during her life time; and unto my cousin, Virginia Noulton Kanley, now residing at San Diego, State of California, the sum of One Hundred Dollars (\$100.00) per month during her life time; and unto my friends, Grace M. MoConkey, Hattie B. MoConkey and Mary A. MoConkey, of said City of Toledo, in equal shares, and unto the survivors and survivor of them, the sum of Five Hundred Dollars (\$500.00) per month so long as they and the survivor of them shall live; and unto Hannah Dowling Ahern, formerly in my employ, and now residing at No. 325 Santiago Street, San Francisco, state of California, the sum of One Hundred Dollars (\$100.00) per month during her life time; and unto her sister, Margaret Dowling, now in my employ, the sum of One Hundred Dollar (\$100.00) per month during her life time; and unto Martha C. Hennessy, now residing at Ojai, Ventura County, State of California, the sum of Two Hundred Dollars (\$200.00) per month during her life time; and unto John Flennigan, of said City of Toledo, now in my employ, the sum of One Hundred and Fifty Dollars (\$150.00) per month during his life time; and unto Robert Johns, of said City of Toledo, now in my employ, the sum of One Hundred and Fifty Dollars (\$150.00) per month during his life time; and unto Margaret Gaughan, formerly in my employ but now residing in the City of Los Angeles, State of California, the sum of Fifty Dollars. (\$50.00) per month during her life time; and unto Mary Kane, now in my employ, whose present address is No, 2512 Butler street, East Elmhurst, Long Island, State 25 How York, the sum of Fifty Dollars (\$50.00) per month during her life time; and from the balance of said income, and also upon the dean of the last survivor of the legatees herein named, to pay unto **The Toledo Museum of Art, a corporation incorporated, not for profit, under the laws of the state of Ohio, having its principal office in said City of Toledo, and unto its successor and successors, the sum of Fifty Thousand Dollars (\$50,000.00) per year, payable quarterly, to be applied by said The Toledo Museum of Art, its successor and successors, in the payment of the expense of conducting its work of education in music, and in providing lectures, concerts, operas and other musical entertainments, and should said income be insufficient for any of said purposes, an admission fee to such lectures, operas, concerts and musical entertainments, and a fee for such instruction in music may be charged, but it is my wish that every such charge shall, on all occasions, be so reasonable in amount as to encourage attendance on the part of all the people irrespective of condition in life; and to pay unto said The Toledo Museum of Art, its successor and successors, the entire remainder of said income, to be used and expended only as follows:**

One-half (1/2) thereof in the purchase of paintings, statuary, furniture and other works of art, each of which, when so acquired, shall have designated thereon, or near thereto, the following words: "Florence Scott Libbey Bequest in Memory of her Father, Maurice A. Scott", and shall be permanently installed in one or more rooms of the building or buildings of said Museum of Art, each of which shall be designated and known as the "Maurice A. Scott Memorial Gallery"; and the other one-half (1/2) thereof to be used and expended by said The Toledo Museum of art, its successor and successors, for any of its corporate purposes. Any articles so purchased, if deemed advisable or desirable, may be sold or exchanged, and the proceeds of every such sale used as income in the purchase of some other work of art.

I direct said "Trustees" and their respective successors, at all times, to cause the cemetery lot in Woodland Cemetery, in said City of Toledo, and the monument erected thereon as a memorial to my late husband, Edward Drummond Libbey, **to be kept in proper condition, and said lot in season to be beautified with flowering plants, and on each Easter Day, Memorial Day, and on the thirteenth (13th) day of each November, to cause suitable flowers to be placed on or about said monument, in memory of him, and the cost thereof to pay out of the income by them received from the investment of the trust funds hereby devised and bequeathed them.**

If, at any time, the principal of my said Trust Estate shall be or become impaired by reason of loss, however occasioned, I hereby direct the "Trustees" and their respective successors to fully restore such principal by applying and crediting thereto all or so much of the income which is payable to said The Toledo Museum Of Art, as may be required for that purpose.

Each and every bequest by my said Last Will and Testament, or by any Codicil thereto, made unto or for the benefit of said The Toledo Museum of Art, its successor and successors, is made subject to each and every the following conditions, to-wit:-

That said The Toledo Museum of Art, its successor and successor, shall forever maintain in said City of Toledo, a building for the public exhibition of paintings and other pictures and works of art, in which the same shall be properly and appropriately housed and protected, and which, except when temporarily closed for repairs, alterations and seasonable vacation, shall be kept open a reasonable length of time on at least two days of each week, for the admission, without charge, of all persons whomsoever, and shall forever maintain in said City a building for affording education in music to students, and in which lectures, concerts, operas and other musical entertainments are provided.

I direct that the annuities herein bequeathed shall be paid quarter-annually,

I direct the Executor hereof to pay quarter-annually the annuities herein provided to be paid, and to continue to make such payments, until the property hereby devised and bequeathed said "Trustees" has been delivered unto whom,

No beneficiary in this Item named shall have the right or power at any time to alienate, assign, dispose of, anticipate or in any way encumber or create a charge upon any sum of money to which he or she may be entitled by virtue hereof, or any part thereof, and the same shall not be subject to attachment, diversion, seizure or sequestration by any creditor of any such beneficiary by any legal process whatever, and if any such beneficiary shall so alienate, assign, dispose of, anticipate or in any way encumber or create a charge upon any sum of money to which he or she may be entitled, or if he or she shall become a bankrupt or make any assignment for the benefit of creditors, or if the same or any part thereof shall be in any way attached, diverted, seized or sequestered by any legal process, then his or her right to every sum of money hereunder shall thereupon cease and be forever determined, and the bequest by me in this Item made him or her shall thereupon become null and void.

No installment of income shall be apportioned upon the death of any person entitled thereto prior to the time the same becomes payable.