

VAULT FILE

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LAST WILL AND TESTAMENT
AND
LETTERS TESTAMENTARY
DATED AUGUST 9, 1932

OF

ANNIE S. COBURN

DATED AUGUST 19, 1931

WINSTON, STRAWN & SHAW,
Counsel.

I, ANNIE S. COBURN, of Chicago, Illinois, being of sound and disposing mind and memory, do make, publish and declare this to be my Last Will and Testament, hereby revoking and annulling all former Wills by me made.

ARTICLE FIRST: I direct that my just debts and funeral expenses be paid as soon after my death as practicable.

ARTICLE SECOND: I direct that my executors hereinafter named shall cause the following inscriptions to be placed upon the monument in the lot in Graceland Cemetery where my husband, Lewis Larned Coburn, is buried: upon the south end shall be inscribed the name of my said husband and a short sketch of his career in Chicago, my name, and the dates of the birth, marriage and death of my said husband and myself; upon the north end shall be inscribed the names of my mother and father, Olivia Shaler Swan and Albert Oscar Swan, a short sketch of my father's career with particular reference to his anti-slavery lectures, and the dates of the birth, marriage and death of my mother and father. I direct that my Executors shall employ the Harrison Granite Company to do this work unless they are of the opinion that that Company can no longer be relied upon to do first class work.

ARTICLE THIRD: I give and bequeath:

(a) To my cousin, Annette R. Jones, now residing in Highland Park, Illinois, the sum of Five Thousand Dollars (\$5,000.00), or if she shall not survive me, I give and bequeath said sum to her youngest son, Allan D. Jones.

(b) I give and bequeath to my niece, Emily Eaton Hepburn, now residing in New York City, my miniature portrait of my husband, my diamond pin with four amethysts in a design of thistle blossoms and leaves. I direct that before otherwise disposing of my pearl necklace, my executors shall offer the same to my said niece for the sum of One Hundred Thousand Dollars (\$100,000). I also request my said niece to cause photographs to be made of the portrait of my husband which is now in the Union League Club in Chicago, said photographs to be about fifteen by twenty inches in size, and I wish that my said niece shall give a copy of such photograph to the University of Vermont and to each living nephew and niece of my said husband, and to such other relatives of his as my said niece shall think suitable. I direct that my Executors shall defray the cost of making and distributing said photographs, and shall undertake their preparation and distribution if my said niece is not able to do so.

(c) To Beulah Hepburn Emmett (Mrs. Robert Emmett), daughter of said Emily Eaton Hepburn, and now residing in Rye, New York, a painting from among my collection (not otherwise bequeathed hereunder), to be selected by Walter S. Brewster, one of my Executors hereinafter named.

(d) To Cordelia Hepburn Cushman (Mrs. Paul Cushman), now residing in New York City, a set of dishes from among those that I may own at the time of my death (and not otherwise bequeathed hereunder); to be selected by said Walter S. Brewster.

(e) To my friend, Harriet Monroe, of Chicago, Illinois, the sum of Five Thousand Dollars (\$5,000.00).

(f) To my friend, Lucy Driscoll, of Chicago, Illinois, the sum of One Thousand Dollars (\$1,000.00).

(g) To my friend, Adelaide Hanneford, of Winnetka, Illinois, the sum of One Thousand Dollars (\$1,000.00). I direct that there shall be deducted from this sum the amount of any indebtedness said Adelaide Hanneford may owe to me at the time of my death.

(h) To my friend, Gordon Strong, of Chicago Illinois, one hundred (100) books to be selected by him from those of my books which are now in storage in the Lincoln Warehouse in Chicago. I make this gift in memory of my husband, Lewis Larned Coburn.

(i) To my friend, Alfred Cowles, of Chicago, Illinois, fifty (50) volumes of the books now in storage in said Lincoln Warehouse, and the eight (8) rugs which are now in the vaults of said warehouse. This gift I also make in memory of my said husband.

(j) To my friend, Frances Cowles Stewart (Mrs. Phillip Stewart), now residing in Santa Barbara, California, my necklace consisting of a chain of diamonds and diamond pendant.

(k) To my friend, Harriet Cheney Cowles (Mrs. William Cowles), now residing at Spokane, Washington, a brooch set with three (3) pearls and diamond scroll work.

(l) To my friend, Frances Badger Reichmann, now residing in Barrington, Illinois, a painting from my collection (not herein otherwise bequeathed), to be selected by said Walter S. Brewster.

(m) To my cousin, Emma Cook Carpenter (Mrs. Frederick I. Carpenter), now residing in Chicago, Illinois, my ring set with a sapphire and two (2) diamonds.

(n) To my friend, Grace Murray Meeker (Mrs. Arthur Meeker), now residing in Chicago, Illinois, my sapphire and diamond bracelet and a dozen pieces of old delft pottery with blue and white decorations, and also my set of Copenhagen dishes consisting of a blue and white dessert set with compote and open work border plates and other dishes of blue and white of the same ware suitable for a breakfast set.

(o) To my friend, Amelia Morris Winterbotham (Mrs. John R. Winterbotham, Sr.), now residing in Chicago, Illinois, my green and white Wedgwood dessert set.

(p) To my friend, said Walter S. Brewster, of Chicago, Illinois, my painting by Whistler entitled "Girl's Head".

(q) To my friend, Kate Lancaster Brewster (Mrs. Walter S. Brewster), my second largest square cut diamond ring, and the small carved old Chinese jade cabinet pieces, about ten (10) in number, now in the vault of the Continental Illinois Bank and Trust Company, in Chicago.

(r) To Helen Brainard Lay, my mother's cousin, my diamond pin with a wreath of leaves containing a large diamond in the center and a diamond pendant which was my mother's, and also my solitaire diamond ring which belonged to my aunt, Harriet A. Shaler.

ARTICLE FOURTH: I give, devise and bequeath to said Walter S. Brewster, to Oscar H. Swan and Chicago Title & Trust Company, a corporation organized under the banking laws of the

State of Illinois and having its place of business in Chicago, Illinois, or its corporate successor, the sum of Sixty Thousand Dollars (\$60,000.00), to hold upon and subject to the following trusts:

(a) Commencing from the date of my death, the Trustees shall pay all of the net income from the trust estate each year to my said cousin, Oscar H. Swan, so long as he shall live, in quarterly installments, and upon the death of my said cousin, or if he shall predecease me, upon my death, the Trustees shall transfer and convey all of the then principal of the trust estate in equal shares to The Art Institute of Chicago, Field Museum of Natural History, now located in Grant Park in Chicago, Illinois, and to the President and Fellows of Harvard College, of Cambridge, Massachusetts. The share of said The Art Institute of Chicago shall be added to and become a part of the endowment fund hereinafter created for the MR. AND MRS. LEWIS LARNED COBURN MEMORIAL; the share of the Field Museum of Natural History shall be added to its general endowment fund, the income therefrom to be used for the general purposes of said Field Museum; the share of the President and Fellows of Harvard College shall be added to and become a part of the trust fund hereinafter created for the benefit of the Fogg Museum of Harvard University.

(b) The interest of any beneficiary in either principal or income of the trust estate shall not in any case be subject to any form of anticipation or assignment by such beneficiary, nor shall it be in any manner subject to the debts or to any other obligations, either legal or equitable, of such beneficiary.

(c) Upon the termination of any estate hereunder, accrued income shall belong to the next estate as part of the principal thereof. The Trustees shall charge against principal and not amortize premiums paid for trust securities and shall credit discounts on investments to principal; all dividends, other than stock dividends, whether paid in cash or otherwise, shall be considered as income; stock dividends and subscription rights, including the proceeds of the sale thereof, shall be considered as principal; in other respects, the Trustees determination shall be conclusive as to whether any payment received or charge incurred shall be credited to or charged against income or principal.

(d) The Trustees, during the continuance of this trust, and until actual distribution of the trust property, are authorized and directed, in their discretion:

(1) To retain property coming into their hands in the same form as received by them, and to hold, invest and reinvest the trust funds from time to time held hereunder in any common or preferred stocks, bonds, mortgages or other securities or any other property, real or personal, wherever situated, which they may deem advisable with full power of conversion and reconversion, all without the legal restrictions otherwise applicable to investments by trustees; to borrow money for the benefit of the trust; to sell, lease for any period of time not exceeding in any instance one hundred ninety-eight (198) years (and any such lease may commence *in praesenti* or *in futuro*), grant or release easements, subdivide re-subdivide and vacate subdivisions, mortgage, pledge, improve in any way, or exchange any property, real or personal, at any time held hereunder, all for such prices and upon such terms and conditions as may to it seem advisable, and for any of said purposes to make, execute and deliver any and all contracts, deeds, mortgages or other instruments necessary or desirable therefor.

(2) To pay all costs, taxes, expenses and charges in connection with the administration of the trusts created herein, including a reasonable compensation to the Trustees and to their counsel and agents.

(3) To do all other acts in their judgment necessary or desirable for the proper and advantageous management, investment and distribution of the trust estate.

(e) Purchasers from the Trustees shall not be required to see to the application of the purchase money and persons dealing with the Trustees shall not be required to see that the terms of this trust are complied with.

ARTICLE FIFTH: I give and bequeath to the Trustees of Hampton Institute, of Hampton, Virginia, the sum of One Hundred Thousand Dollars (\$100,000.00), said fund to be known as the OLIVIA SHALER AND ALBERT OSCAR SWAN MEMORIAL FUND, in memory of my mother and father, the income therefrom to be used for the general purposes of said Hampton Institute as its Trustees may, in their discretion, determine.

ARTICLE SIXTH: I give and bequeath the sum of Fifty Thousand Dollars (\$50,000.00) to the President and Fellows of Harvard College as a fund to be known as the LEWIS LARNED COBURN MEMORIAL FUND in memory of my husband, who graduated from the Law School of Harvard University in 1861, the income therefrom to be used to give scholarships to students in said Law School in such amounts as said President and Fellows or the Dean of said Law School may from time to time determine.

ARTICLE SEVENTH: I give and bequeath the sum of Fifty Thousand Dollars (\$50,000.00) to Northwestern University as a fund to be known as the LEWIS LARNED COBURN MEMORIAL FUND, in memory of my husband, the income therefrom to be used to give scholarships to students in the Law School of said Northwestern University in such amounts as the President of said University or the Dean of said Law School may from time to time determine.

ARTICLE EIGHTH: I give and bequeath the sum of Twenty-five Thousand Dollars (\$25,000.00) to the Brainard Memorial Library, at Haddam, Connecticut, to be added to the endowment fund created by my cousin C. S. Brainard, Jr., and to be known as the BRAINARD SHALER MEMORIAL FUND in memory of my uncle of that name, who formerly resided in New York City, the income from said fund to be used for the purpose of the upkeep of the building, adding to the library and defraying its running expenses.

ARTICLE NINTH: I give and bequeath to The Art Institute of Chicago the following pictures from my collection:

Sur la Terrasse, by Renoir.
 The Cliff Walk, by Claude Monet.
 In the Rose Garden, by Renoir.
 Garden with Lily Pool, by Claude Monet.
 Etreta—Northern France, by Claude Monet.

Venetian Scene, by Claude Monet.
 Landscape with Two Trees — Northern France, by
 Claude Monet.
 Landscape—L'Auverne, by Cezanne.
 Still Life—Flowers, by Cezanne.
 Landscape and Figures—Tahiti, by Gaguin.
 Autumn Landscape, by Sissley.
 Peonies, by Renoir.
 Ballet Girl in Green, by Degas.
 Flowers, by Oudillon Redan.
 Boy with Jar, by Carriere.
 Don Quixote, by Daumier.
 Two Lawyers' Heads, by Daumier.
 Cafe Scene, by Toulouse-Lautrec.
 Landscape at Arles, by Van Gogh.
 Le Journal Illustre, by Manet.
 Ferry Crossing the Seine, by Picasso.
 Portrait of Sissley, by Renoir.

ANNIE S. COBURN

I also give and bequeath to said The Art Institute of Chicago in addition to the pictures above specially named, all of the rest of the French pictures that I may own at the time of my death not herein otherwise specifically bequeathed. It is my desire that the entire collection shall be known as the MR. AND MRS. LEWIS LARNED COBURN MEMORIAL, and I wish The Art Institute to keep the same together as a collection. I have already given The Art Institute of Chicago a trust fund of Thirty-five Thousand Dollars (\$35,000.00). I hereby give and bequeath to said The Art Institute of Chicago an additional sum of One Hundred Sixty-five Thousand Dollars (\$165,000.00) to make a total endowment fund of Two Hundred Thousand Dollars (\$200,000.00) to provide for the up-keep of said collection, the maintenance and decoration of the room in which it shall be housed, and the purchase of additional pictures to be added to the collection from time to time. I do not make these gifts conditional upon the continued maintenance of said collection in a room, but it is my desire that this shall be done so far as it is possible. I do, however, direct that every picture shall have affixed to it a label showing

the name of the artist, title of the picture, and that it is the gift of Annie Swan Coburn.

ARTICLE TENTH: I also give and bequeath to The Art Institute of Chicago fifty (50) of the best watercolor paintings which I may own at the time of my death, to be selected by my friends, Mr. and Mrs. Walter S. Brewster, as a collection in memory of my mother, Olivia Shaler Swan. I also give and bequeath to The Art Institute of Chicago the sum of Fifty Thousand Dollars (\$50,000.00) as an endowment fund to take care of said watercolor paintings, for the maintenance and decoration of the room in which they may be housed, and for the purchase of paintings to be added to said collection.

ARTICLE ELEVENTH: I give and bequeath to the President and Fellows of Harvard College for the Fogg Museum, in Cambridge, Massachusetts, the following:

- (a) My Persian potteries.
- (b) My two (2) pieces of Persian table covers made of silk and gold thread.
- (c) My Moorish plaque from the Alhambra Palace at Grenada. This plaque came into my possession in 1894 from the artist who was superintending the restoration and excavation of the Alhambra.
- (d) My Ninth Century Chinese figure of a woman carved from one piece of wood.
- (e) My reproductions of old Venetian Glass (made in 1850), of originals which are now in the Naples Museum.
- (f) My three (3) Tibetan banners.
- (g) The following pictures:
 - Coast Guard's House, by Monet.
 - Small Landscape, by Cezanne.
 - Still Life—Apples, by Renoir.

Races at Deauville, by Degas.
 Woman at Milliner's, by Renoir.
 Box at Theatre, by Forain.
 Portrait of a Girl, by Toulouse-Lautrec.
 Acrobat on Trapeze, by Toulouse-Lautrec.
 Self Portrait, by Van Gogh.
 Portrait of George Moore, by Manet.

I direct that my Executors shall defray the cost of putting all of the Persian pieces and all the reproductions of glass in suitable cases. I also give and bequeath to said President and Fellows of Harvard College the sum of Twenty-five Thousand Dollars (\$25,000.00) to be held as a fund to defray the expense of maintenance of all of said articles and, if sufficient therefor, to purchase additional paintings or pottery for said Fogg Museum.

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ARTICLE TWELFTH: I give and bequeath to Smith College, now located at Northampton, Massachusetts, the following paintings:

Baby and Nurse, by Martha Walters.
 Street Scene—Cab Stand, by Childe Hassam.
 Street Scene—Christmas Morn, by Childe Hassam.
 Lady with Cello, by Dewing.
 Cobbler's Shop, by Theodore Robinson.
 Japanese Girl, by Charles Sprague Pearce.
 Landscape—Lyme, Connecticut, by Wilson Irvine.
 Small Winter Landscape, by Leon Gaspard.

I also give and bequeath to said Smith College the sum of Ten Thousand Dollars (\$10,000.00) to be held by it as an endowment fund for the care and maintenance of said pictures, and, if it be sufficient therefor, for the purchase of additions to said collection.

ARTICLE THIRTEENTH: I direct that the Directors of said Fogg Museum shall have the choice and may select for it any or all of my paintings by American artists not herein otherwise

specifically bequeathed, and that said Smith College may select for itself part or all of the balance thereof.

ARTICLE FOURTEENTH: The Art Institute of Chicago may select from among my collection of art books and publications on artistic subjects all the books that it may wish to put in the Ryerson Library in said Art Institute which are not duplicates of books already there, except that I wish the reproductions of the drawings of Degas shall be given to said Fogg Museum. I direct that the balance of said collection shall be divided between said Fogg Museum and said Smith College as said Walter S. Brewster shall consider will best meet the needs of each of said institutions.

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ARTICLE FIFTEENTH: All of the rest, residue and remainder of the property, real, personal and mixed, of whatsoever character and wheresoever situate, of which I may die seized or possessed, or which I may own or have any interest in at the time of my death, I give, devise and bequeath in equal shares to said The Art Institute of Chicago, to said Field Museum of Natural History, and to said President and Fellows of Harvard College. My Executors are expressly authorized to make such distribution in securities, property or cash as they may think best, and in such proportions thereof as they may determine, and for such purposes the valuations placed upon any securities or property so distributed shall be final and conclusive upon that subject. All funds received by said The Art Institute of Chicago under this residuary bequest shall be added to and become part of its general endowment funds, and the income therefrom shall be used for the general purposes of said Art Institute, but as often as may seem necessary or desirable shall be added to the income of

the two endowment funds hereinabove created for the MR. AND MRS. LEWIS LARNED COBURN MEMORIAL and the OLIVIA SHALER SWAN MEMORIAL, respectively, to aid the purposes of said funds. All funds received by said Field Museum of Natural History shall be added to its general endowment funds and the income therefrom expended for the general purposes of said Field Museum as its Directors may from time to time determine. All funds received by the President and Fellows of Harvard College hereunder shall be added to their general endowment funds and administered as a part thereof, but the income therefrom shall be used only for the general purposes of said Fogg Museum.

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ARTICLE SIXTEENTH: It is my desire that all inheritance, succession or other similar taxes on the various interests in my estate under this my Will, if any, under the laws of the United States, or of any State thereof, now existing or which may hereafter come into effect, shall be paid by my Executors out of the corpus of my estate and not be charged against the respective beneficiaries.

ARTICLE SEVENTEENTH: I hereby nominate and appoint said WALTER S. BREWSTER, OSCAR H. SWAN and said CHICAGO TITLE & TRUST COMPANY (or its corporate successor), as Executors of this my Will, and I give to them as such Executors full power and authority at any time or times to borrow money, to sell, mortgage, pledge, exchange or otherwise deal with or dispose of the property comprising my estate on such terms and for such prices as they shall deem best; to compromise or settle any or all claims, either in favor of or against my estate, and for any of the foregoing purposes to make, execute and deliver any and all deeds, contracts, mortgages or other instruments necessary or desirable therefor.

In the event of the death, resignation, refusal or inability for any reason of either said Walter S. Brewster or said Oscar H. Swan to act as Trustee and/or Executor hereunder, then the survivor of them and said Chicago Title & Trust Company (or its corporate successor) shall act as co-Trustees and/or co-Executors hereunder, and in the further event of the death, resignation, refusal or inability for any reason to act of the survivor of said individuals, said Chicago Title & Trust Company (or its corporate successor), shall act as sole Trustee and/or Executor hereunder. In either event, the survivor and said Chicago Title & Trust Company as such co-Trustees and/or co-Executors, or said Chicago Title & Trust Company as sole Trustee and/or Executor shall have all of the same rights, powers, duties and authority, discretionary or otherwise, hereby vested in and imposed upon my Trustees and/or Executors hereunder (as the case may be), including those specially conferred upon said Walter S. Brewster relative to the selection of certain of the gifts made hereunder.

IN WITNESS WHEREOF, I have set my hand and seal to this, my Last Will and Testament, consisting of Thirteen (13) typewritten pages, on the margin of each of which (except this page) I have affixed my signature for better identification this 19th day of August A. D. 1931.

ANNIE S. COBURN (SEAL)

We, the undersigned,* hereby certify that the foregoing instrument was on the day of the date thereof signed, sealed, published and declared by the said ANNIE S. COBURN, the Testatrix,

as and for her Last Will and Testament, in the presence of us, who, in her presence and in the presence of each other, have at her request, hereunto subscribed our names as witnesses of the execution thereof this 19th day of August A. D. 1931, and we hereby certify that at the time of the execution thereof we believe said Testatrix to be of sound and disposing mind and memory.

ARTHUR D. WELTON, JR., residing at 45 Bellevue Place, Chicago, Ill.

GARNETT B. WATSON, residing at 1400 Lake Shore Drive, Chicago, Ill.

EDWIN MUGFORD, residing at 7719 North Ashland Ave., Chicago, Ill.

ANNIE S. COBURN

LETTERS TESTAMENTARY

Probate Court of Cook County.

STATE OF ILLINOIS, }
COUNTY OF COOK. } ss.

THE PEOPLE OF THE STATE OF ILLINOIS,

To all to whom these presents shall come, GREETING:

KNOW YE, That whereas, Annie S. Coburn, late of the County of Cook and State of Illinois, died on or about the 1st day of June, A. D. 1932, as it is said, after having duly made and published her last will and testament, a copy whereof is hereunto annexed, leaving at the time of her death property in this State, which may be lost, destroyed or diminished in value, if speedy care be not taken of the same; and inasmuch as it appears that Oscar H. Swan, Walter S. Brewster and Chicago Title and Trust Company have been appointed executors in and by the said last will and testament, to execute the same, and to the end that said property may be preserved for those who shall appear to have a legal right or interest therein, and that the said will may be executed according to the request of the said testatrix we do hereby authorize them, the said Oscar H. Swan, Walter S. Brewster and Chicago Title and Trust Company, as such executors to collect and secure all and singular the goods and chattels, rights and credits which were of the said Annie S. Coburn at the time of her decease, in whosoever hands or possession the same may be found, in this State, and well and truly to perform and fulfill all such duties as may be enjoined upon them by the said will, so far as there shall be property, and the law charge them, and in general to do and perform all other acts which now or hereafter, may be required of them by law.

Witness, Mitchell C. Robin, Clerk of the Probate Court of said County of Cook, and the seal of said Court, this 9th day of August, A. D. 1932.

MITCHELL C. ROBIN,
Clerk.

(L. S.)

STATE OF ILLINOIS, }
COUNTY OF COOK. } ss.

I, Mitchell C. Robin, Clerk of the Probate Court of Cook County, in the State aforesaid, DO HEREBY CERTIFY that the within is a true and correct copy of the last will and testament of Annie S. Coburn, deceased, and of Letters Testamentary issued on the 9th day of August, A. D. 1932, to Oscar H. Swan, Walter S. Brewster and Chicago Title and Trust Company now in force, as it appears from the originals on file, and from the records of the Probate Court in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the said Probate Court, at Chicago, in said County, this day of, A. D.

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Clerk.