

Tourtellotte Trust Portfolio Managers

Crestwood Advisors

50 Federal Street
Boston, Massachusetts 02110
Leah R. Sciabarrasi, CFP, Partner

Tourtellotte Board of Trustee Address

Tourtellotte Board of Trustees

P.O. Box 899
815 Riverside Drive
North Grosvenordale, CT 06255
Attention: Finance Director



INFORMATION
AND WELCOME
PACKAGE FOR
NEW BOARD
MEMBERS

Tourtellotte Board of Trustees

Town of Thompson, Connecticut



Above: 2015 picture of the Tourtellotte clock. Compliments of Geoff Bolte.

INFORMATION AND WELCOME PACKAGE FOR NEW BOARD MEMBERS



Above: The December 21, 1907 Laying of the Corner Stone Brochure. The original date was set for December 14, 1907, but the weather was too cold and they postponed it until December 21. It turned out to be the greatest Christmas gift the town ever received. Photo: TMHSAA

- d. Special meetings may be called by the BOT at any time.
- d. All meetings will be noticed and recorded in accordance with the Freedom of Information Act.

ARTICLE 7: Trust Efficacy and Efficiency

One hundred years from the date of this adoption, June 25, 2009 the then Trustees of the Trust shall review the efficacy and efficiency of the Trust in terms of carrying out its originally stated mission and shall make such recommendations to the Board of Selectmen or the town's current administrative body and the town legislative body as seem to them necessary and proper.

ARTICLE 8: Bylaw Changes and Amendments

Changes in these bylaws may be recommended at the annual meeting and require five (5) votes of the seven (7) members of the BOT to pass.

ARTICLE 9: Provision of Law

If there is any conflict between these bylaws and any provision of State or Federal Law or Town Ordinance, the provision of law shall control.

ARTICLE 10: Location of Bylaws

The bylaws and any amendment(s) shall be filed with the Town Clerk's Office and included with the Ordinance Establishing the Jacob F. Tourtellotte and Harriet Arnold Tourtellotte Trust Fund for the Maintenance and Extension of the Free Memorial High School.

Adopted by the Tourtellotte Municipal Trust Board of Trustees on July 17, 2009

- Donna Lynch, Chairperson, Thompson Board of Education
- Lawrence Groh, First Selectman, Town of Thompson
- Karen Charbonneau, Chairperson, Thompson Board of Finance
- Joseph Iamartino, President, Thompson Historical Society, Town Historian
- Joseph Lindley, President, TMHSAA
- Dr. Michael Jolin, Superintendent,

Thompson Public Schools

- Michael Martin, Thompson Finance Director

Appendix 5

Former BOT Members

2009

Lawrence Groh, Donna Lynch, Karen Charbonneau, Joseph Lindley, Joseph Iamartino, Michael Martin, Dr. Michael Jolin

2010

Lawrence Groh, Donna Lynch, David Johnson, Joseph Lindley, Joseph Iamartino, Michael Martin, Dr. Michael Jolin

2011

Lawrence Groh, William Witkowski, David Johnson, Joseph Lindley, Joseph Iamartino, Michael Martin, Dr. Michael Jolin

2012

Lawrence Groh, William Witkowski, Ray Faucher, Joseph Lindley, Joseph Iamartino, Michael Martin, Dr. Michael Jolin

2013

Lawrence Groh, William Witkowski, Ray Faucher, Joseph Lindley, Joseph Iamartino, Michael Martin, Dr. Michael Jolin

2014

Paul Lenky, William Witkowski, Ray Faucher, Joseph Lindley, Joseph Iamartino, Michael Martin, Dr. Michael Jolin

2015

Paul Lenky, William Witkowski, Ray Faucher, Joseph Lindley, Joseph Iamartino, Michael Martin, Dr. Michael Jolin

2016

Kenneth Beausoleil, Suzanne Witkowski, William Witkowski, Joseph Lindley, Orla McKiernan Raftery, Joseph Iamartino, Dr. Michael Jolin

Welcome



Welcome to the Tourtellotte Board of Trustees. You have been entrusted with the extraordinary responsibility of managing the largest endowment ever bestowed upon the Town of Thompson. The original trust was created by Dr. and Mrs. Tourtellotte, and dates back more than 100 years. It was created to finance their dreams of a lasting memorial to their two little girls and a place of higher learning for the children of Thompson.

Brief History of the Tourtellotte Trust

In 1906, Mrs. Harriett Arnold Tourtellotte, with the support of her husband Dr. Jacob Francis Tourtellotte, approached Thompson town officials with a proposal to build a free and public high school. After some discussion and debate, the Town of Thompson decided to accept the Tourtellotte's generous offer. During the first few months of 1907, the Tourtellottes hired the well-known

architectural firm of McLean and Weight of Boston, Massachusetts. A high rocky hill covering nearly 15 acres overlooking the French River Valley and the villages of North Grosvenordale and Grosvenordale was selected. Many people of the time, including Mrs. Tourtellotte, felt the location was perfect as it would allow the building to sit upon that hill like the Parthenon of the Athenian Acropolis.

The proposed high school, to be named the Tourtellotte Memorial High School, would serve two purposes. The first, to stand as a lasting memorial to Dr. and Mrs. Tourtellotte's predeceased daughters, Harriett and Lucina, who both died at a young age. The second, to provide a free, state-of-the-art secondary educational facility for the children of Thompson, Connecticut, the Tourtellottes' home town.

On December 21, 1907, a bitterly cold day, citizens and officials of Thompson and dignitaries from all over New England gathered at the southwestern corner of the proposed building to witness the laying of the cornerstone. Nearly two years later, on September 3, 1909, the school was dedicated. Dr. and Mrs. Tourtellotte were the guests of honor, but Dr. Tourtellotte's chair was empty as he was too ill to make the trip from Minnesota. The Boston Globe, in an article published a few days after the dedication ceremony, stated that the Tourtellotte Memorial High School building was among the finest of its time.

Right: The Tourtellotte Memorial High School c.1912. The TMHS building could be seen for miles, especially from the villages of Grosvenordale and North Grosvenordale. Thompson Historical Society Photo.



To insure the Town of Thompson had the financial resources necessary to properly maintain the TMHS building and Memorial Room, Dr. Tourtellotte bequeathed a significant trust "...for the care and maintenance of the Free Memorial High School." For decades, this trust was operated by the Rhode Island Hospital Trust Company of Providence, Rhode Island. This arrangement lasted for 100 years.

The Formation of the Tourtellotte Board of Trustees

In 2008, Thompson citizens were notified that the trust established by Dr. Jacob Francis Tourtellotte and Harriett Arnold Tourtellotte was nearing its legal end of life. The Trust would soon be dissolved and the money transferred to the Town of Thompson for disbursement and management. Town-wide discussion and debate quickly developed as to what to do with the approximate \$2M.

In December of 2008, a group of citizens, to include members of the Tourtellotte Memorial High School Alumni Association and the Thompson Historical Society, formed to advocate for the Tourtellottes and their original wishes. They sought legal advice and guidance from Dr. Tourtellotte's will dated June 14, 1910, and his codicil dated November 16, 1911. The recommendation of this group was to reinvest the funds and use the proceeds as originally intended, for the "maintenance of the free Memorial High School."

On February 19, 2009, the Thompson Board of Finance requested that the Board of Selectmen, with the assistance of the town attorney, draft an ordinance allowing the town to place the Tourtellotte Trust in a reserve fund for the specific purpose of perpetuating the work outlined in the original Tourtellotte will and codicil. During this meeting, it was also established that while the fiduciary responsibility of Trust lies with the Thompson Board of Finance, the overall responsibility for the care, maintenance and management of the 1909 TMHS building and

Tourtellotte Memorial Room, and its content, lies with the Board of Education.

Understanding the difficulty a public school system has in managing and maintaining a historical building and small museum, Thompson Board of Education member Joseph Lindley, at a meeting held on February 25, 2009, made a motion to appoint the Tourtellotte Memorial Alumni Association as the curator of the Tourtellotte Memorial Room and historical overseers of the 1909 TMHS building. The motion passed unanimously.

From February to May of 2009, Thompson town attorney, William St. Onge, prepared an ordinance that would both protect the funds for the next 100 years and form a Board of Trustees. The proposed ordinance was presented to the Board of Selectmen on June 2, 2009. After some discussion, a motion was made to accept the ordinance. It was put to a vote and the motion passed. The ordinance was signed by First Selectman Lawrence Groh and Third Selectperson Kathleen Hiatt – Second Selectperson Sarah E. White did not sign. On June 10, 2009, the ordinance was presented to the citizens of Thompson at a Town Meeting. A motion was made to accept the ordinance; the motion passed unanimously.

Over the next month, bylaws for the newly established Tourtellotte Board of Trustees (BOT) were discussed and developed, and on July 17, 2009, approved by the members of the first Tourtellotte Board of Trustees. The signers of the bylaws (See attached) included:

Donna Lynch – Board of Education Chair
Lawrence Groh – First Selectman
Karen Charbonneau – Board of Finance Chair
Joseph Iamartino – Thompson Historical Society President
Joseph Lindley – TMHS Alumni Association President
Dr. Michael Jolin – Thompson Public Schools Superintendent
Michael Martin – Thompson Finance Director

1. Descendants of Harriet and Jacob Tourtellotte.
2. Local experts or special interest groups whose expertise or focus may help the BOT's decision making process.
- c. In no case shall one person fill more than one position listed above in Article 3.a. In the event that one person fills two or more positions listed in Article 3.a (e.g. First Selectman and President of the Historical Society), that person is to appoint a representative from one of the organizations or positions he/she represents.
- b. Hear recommendations and suggestions for the appropriation and expenditure of annual funds from the public.
- c. Determine funds to be requested for the upcoming town budget, on an annual basis.
- d. Determine priority expenditures to be forwarded to the Thompson Board of Education and the Thompson Board of Finance to be included in the annual town budget.
- e. Ensure a majority vote of a quorum to move the recommendations to the Board of Education.
- f. Ensure that no Trust expenditures shall be made unless approved by the Board of Trustees.
- g. Ensure that at no time is the principle of the fund to be used. Any funds designated by a BOT for reinvestment shall become part of the principal.
- h. Ensure all Trust financials are audited annually consistent with town policy.

ARTICLE 4: Officers

- a. The BOT shall have three (3) officers who shall be elected by a majority vote during a BOT meeting held by the 1st Wednesday of January of each year.
- b. All parliamentary procedures outlined in Robert's Rules shall apply for nominating, electing and appointing officers. Officers shall hold their offices for a period of one (1) year.
- c. Officers shall consist of:
 1. Chairperson
 2. Secretary
 3. Treasurer
- d. The above listed officers shall follow office duties as outlined in Robert's Rules.

ARTICLE 5: Responsibilities

The BOT shall hire, supervise, and discharge as necessary such professional investment advisors as deemed appropriate to support the mission of the Tourtellotte Municipal Trust.

The BOT shall also:

- a. Direct the investments with assistance of advisors and determine the annual reinvestment amounts and/or percentages.

ARTICLE 6: Meetings

- a. All meetings and BOT proceedings will use parliamentary procedures as described in Robert's Rules of Order.
- b. The BOT shall hold an annual meeting on the first Monday of February of each year to determine the amount of net Trust income which may be prudently appropriated for the ensuing fiscal year. Careful consideration shall be given to both the purposes of the Trust and its purpose as a permanent fund.
- c. The Trustees shall hold a public hearing either simultaneously with or following the aforementioned meeting to hear testimony from the public as to the appropriate expenditures of Trust funds for the ensuing fiscal year.

ATTEST: Jeffrey C. Barske, Town Clerk

Note: The original document was signed by Selectmen Groh and Hiatt and is stored at the Thompson Town Hall.

*Trust baseline as reported December 31, 2009 by the Thompson Finance Director was \$2,349,116.34.

Appendix 4

**Bylaws of the Jacob and Harriett Arnold
Tourtellotte Board of Trustees
JULY 2009**

ARTICLE 1: Mission and Statement of Purpose

The mission of the Dr. Jacob Francis and Harriet Arnold Tourtellotte Board of Trustees, hereafter called BOT, is to manage and maintain the Tourtellotte Trust in a manner which honors and complies with the wishes of the original donors, Dr. Jacob Francis Tourtellotte and Harriet Arnold Tourtellotte, for the Maintenance and Extension of the Free Memorial High School.

ARTICLE 2: Definitions

The following are definitions for key terms.

- a. **"Free Memorial High School"** The "Free Memorial High School" is defined as the building and originally donated contents listed in Jacob Tourtellotte's will, subsequent codicil dated November 11, 1914 and other historical documents. The "Free Memorial High School" was constructed by the Tourtellottes as a memorial to their two predeceased daughters, Harriet and Lucina Tourtellotte and presented to the Town of Thompson on September 7, 1909 during a public ceremony.
- b. **"Extension of the Free Memorial High School"** It is understood that the Tourtellottes desired the expansion and improvement of said Free Memorial High School. In his codicil dated November 11, 1914, Jacob Tourtellotte stated "...if there be more than sufficient income for

the proper maintenance and support of said (Free Memorial) High School, then the excess of said income shall be used by the said Town of Thompson for the benefit of said High School and the extension of its work and efforts in the educational lines." It is hereby established that the "...extension of its work and efforts," shall include all additions and expansions to the physical facility, academic curriculum, and extracurricular programs of Tourtellotte Memorial High School.

ARTICLE 3: Membership

- a. The BOT shall consist of seven (7) voting members as follows:
 1. The First Selectman of the Town of Thompson
 2. Chairperson of the Board of Education of the Town of Thompson
 3. Chairperson of the Board of Finance of the Town of Thompson
 4. Superintendent of School of the Town of Thompson
 5. President of the Tourtellotte Memorial High School Alumni Association President of the Thompson Historical Society
 6. Finance Director of the Town of Thompson
- b. Any of the aforementioned individuals may serve by virtue of their office or position or may designate another member of their respective Board or Society to serve as the designated agent of said Board or Society.
- c. From time to time Advisory Trustees may be invited to become part of the BOT. Advisory Trustees will be non-voting members and may consist of the following:

Upon approval of the bylaws, the BOT went to work locating an investment firm to manage the trust. After much investigation and several proposals, the firm Crestwood Advisors of Boston, Massachusetts was selected. The BOT, with the help of Crestwood Advisors, developed the portfolio objectives and goals. Two major objectives were established. They were:

1. Preserve and enhance the value of the Tourtellotte Trust's assets through a combination of capital preservation, income generation and capital growth.
2. Achieve competitive investment returns in excess of inflation to meet both current and future income needs to support desired distributions.

As outlined in the bylaws, the BOT meets at various dates throughout the year to hear public comments and project recommendations from the Board of Education and the TMHS Alumni Association in their role as the Memorial Room curator. The BOT then recommends to the Thompson Board of Finance and the Board of Education the amount from the trust earnings to be allocated for the upcoming fiscal year. This recommendation then goes to the BOF and the BOE for final approval. Reporting and account information management is the responsibility of the Town of Thompson Finance Director.

Board Members' Responsibilities

Each of the BOT members have specific responsibilities. The following will act as a guide for future BOT members.

Chairperson

The Chair's responsibilities include:

1. Establishing dates for all meetings and posting the appropriate notices with the Thompson Town Clerk's office. All notices must be in accordance with the Tourtellotte BOT Bylaws, and the CT FOIA Laws (See here: [http://](http://www.nfoic.org/connecticut-foia-laws)

www.nfoic.org/connecticut-foia-laws.

The types of meetings include:

- a. An annual public hearing scheduled for the first Monday of each February.
 - b. Trust update meetings as required.
 - c. Special meetings as required.
2. Establishing an agenda for each meeting.
 3. Coordinating all project update reports. These reports should include:
 - a. A record of work performed on the 1909 TMHS building and Memorial Room.
 - b. Other BOT expenditures as approved by the Thompson BOF and BOE.
 4. Managing and updating the BOT Information and Welcome package.
 5. Insuring each new member receives the above package.
 6. Running all meetings in compliance with the Open Meeting Laws and Robert's Rules.

Secretary

The secretary is responsible for recording the minutes of all meetings in accordance of Robert's Rules of Meetings. The secretary must then provide the Thompson Town Clerk and board members the unapproved draft within five working days of the meeting. The secretary is then to provide the Thompson Town Clerk the approved minutes within 48 hours of approval.

Treasurer

Supply quarterly financial reports to the BOT, Reports to include:

- Summary of trust activity.
- Current fiscal year expenditure with available funds

Members

Each member is required to attend every meeting and provide input in accordance with the town ordinance dated June 3, 2009 and the Tourtellotte BOT bylaws established July 17, 2009.

Vision for the Future

Future Tourtellotte Board of Trustee members should remain mindful of the significance of the Tourtellottes' gift. The Tourtellotte Memorial High School and Memorial Room stood well above all the other philanthropic projects funded by the Tourtellottes during their golden years. The special importance they placed upon the TMHS Building and Memorial Room is evident in many of the legal documents and personal notes that survive them. They sought to create an eternal reminder for the children of Thompson that the path to a better life is through higher education, but more important, they sought to create a lasting memorial to their two little girls, Lucina and Harriett.

The TMHS 1909 Building and Memorial Room has endured many changes over its century-long life. Over the years, the building slowly transitioned from a vibrant state-of-the-art high school to a neglected underfunded administration building wrought

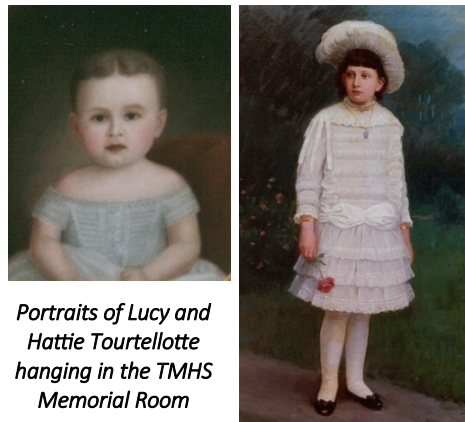


Above: 1909 TMHS building after the 2009 restoration project. TMHSAA photo.

with structural, maintenance, and aesthetic problems. Many of the priceless pieces of artwork, once proudly displayed in the magnificent gallery, were damaged due to water leaks, a poor environmental system, and lack of appropriate care – several pieces coming close to becoming total losses. And while the challenges of advancing age made the task of repair and restoration difficult, most of the issues faced by the Restoration

Team in 2009 were caused by neglect and the town losing sight of our responsibility to honor the Tourtellottes' overall wishes.

The role the TMHS building plays in the Town of Thompson and Northeast Connecticut will inevitably change over time, as it already has. Closing the gymnasium during the 1940s in order to move a larger, better equipped gymnasium, dismantling and constructing classrooms in the auditorium and library during the 1970s to accommodate a growing student population, and finally, suspending all daily education in the 1909 TMHS building during the 2000s, were all difficult decisions that moved us further and further away from the Tourtellottes' dreams.



Portraits of Lucy and Hattie Tourtellotte hanging in the TMHS Memorial Room

Above-left: Harriett Lucina "Lucy" Tourtellotte (1869-1870). Lucy died of scarlet fever at 11 months old. The portrait that now hangs in the Tourtellotte Memorial Room was painted from a picture taken of Lucy after she passed. Below-left: Frances Harriett "Hattie" Tourtellotte (1874-1884). Hattie passed away at the age of 9 years and 7 months. It is said that Mrs. Tourtellotte would often close the big doors to the Memorial Room and sit in the room for hours talking to her predeceased family. No other part of the 1909 TMHS building meant more to Mrs. Tourtellotte than did the Memorial Room and the portraits of her family. Dr. Tourtellotte passed away in 1912, Mrs. Tourtellotte in 1919.

Trust Fund to hold and manage said funds, to be known as the Jacob F. Tourtellotte and Harriet Arnold Tourtellotte Trust Fund for the Maintenance and Extension of the Free Memorial High School.

Said Trust shall exist upon the following terms and conditions:

1. The Board of Trustees shall consist of seven (7) members as follows: The First Selectman of the Town of Thompson, the Chairperson of the Board of Education of the Town of Thompson, the Chairperson of the Board of Finance of the Town of Thompson, the Superintendent of Schools of the Town of Thompson, the President of the Tourtellotte High School Alumni Association, the President of the Thompson Historical Society and the Finance Director/Treasurer of the Town of Thompson. Within ninety (90) days of the effective date of this Ordinance, the Board of Trustees shall prepare and adopt bylaws for the management of the Trust, which bylaws shall be consistent with the purpose of the Trust as herein stated and as stated in the Will and Codicil of Jacob F. Tourtellotte and in conformance with the provisions of State law. A copy of said bylaws shall be placed on file with the office of the Town Clerk of the Town of Thompson upon adoption.
2. Any of the aforementioned individuals may serve by virtue of their office or may designate another member of their respective Board or Society to serve as the designated agent of said Board or Society.
3. The Trustees shall be responsible for hiring, supervising and discharging as necessary such professional investment advisors as they deem appropriate and in the best interest of the Town of Thompson.
4. On the first Monday of February of each year, the Trustees shall hold a meeting and determine the amount of net Trust income which may be prudently

appropriated for ensuing fiscal year, keeping in mind both the purposes of the Trust and its purpose as a permanent fund. The Trustees shall hold a public hearing either simultaneously with or following the aforementioned meeting to hear testimony from the public as to the appropriate expenditures of Trust funds for the ensuing fiscal year.

5. In no event shall principle of the Trust Fund be appropriated. [See Note "*" at the end of this section]
6. The Board of Trustees shall recommend both short term and long term expenditure options for the Board of Education.
7. Said expenditures shall be appropriated as requested by the Board of Education giving due consideration to the recommendations of the Trustees; such expenditures shall be approved by the Board of Finance and Town Meeting as part of the Annual Budget of the Town of Thompson. No appropriation may be requested by the Board of Education unless it has been previously recommended by the Board of Trustees.
8. It is the intention that this Trust shall be a permanent fund created to honor the wishes of the original donor Jacob F. Tourtellotte and to expend said fund for the maintenance and extension of the Free Memorial High School.
9. One hundred years from the date of this adoption, the then Trustees of the Trust shall review the efficacy and efficiency of the Trust in terms of carrying out its stated mission and shall make such recommendations to the Board of Selectmen and the Thompson legislative body as seem to them necessary and proper.

Dated at Thompson, Connecticut this 2nd day of June 2009.

Lawrence K. Groh, Jr.
Sarah F. White
Kathleen A. Hiatt

ITS BOARD OF SELECTMEN

shall be paid and turned over to the Town of Thompson, County of Windham and State of Connecticut, for the maintenance and extension of the Free Memorial High School as hereinbefore provided.

It is my judgment and I hereby do recommend to my said Trustee, the Connecticut Trust and Safe Deposit Company and to the Town of Thompson that they do not sell any of the valuable real estate which shall come into their hands, without most careful consideration and investigation.

For the reason that my said wife, Harriet Arnold Tourtellotte, has reached the time of life when the administration of this Will may be a burden to her, I do hereby revoke the last paragraph of Page 3 of my said Will and all contents of Page 4 thereof down to the words "In Testimony Whereof," and I do hereby make, nominate and appoint the said Harriet Arnold Tourtellotte and the Minneapolis Trust Company, of Minneapolis, Minnesota, co-executors of this my last Will and Testament.

I hereby provide and direct the said Harriet Arnold Tourtellotte shall not be required to furnish any bond, surety or security as such co-executrix. If the said Harriet Arnold Tourtellotte should not survive me, or upon her death after mine, before the completion of the administration of my estate, I direct that said Minneapolis Trust Company shall act as sole executor.

All the terms and conditions of my said Will, dated June 14th, 1910, shall remain in full force and effect, excepting such as are contradictory of the provisions hereof which contradictory provisions are hereby revoked or modified to agree with and to be in accordance with the terms and provisions of this codicil.

IN WITNESS WHEREOF, I have to this, the first codicil of my last Will and Testament, consisting of three typewritten pages and four typewritten lines, to each which preceding pages I have subscribed my name, set my hand and seal this 16th day of November, 1911.

Jacob Francis Tourtellotte (SEAL)

The foregoing instrument, consisting of three typewritten pages and four typewritten lines, was at the date thereof, signed, sealed, published and declared as the first codicil of this last Will and Testament by Jacob Francis Tourtellotte, the above named Testator, who, in his presence, at his request and in the presence of each other, have hereunto subscribed our names as attesting witnesses.

E. J. Grimes

Residing at Minneapolis, Minnesota.

A. B. Whitney

B. Residing at Minneapolis, Minnesota.

In consideration of the provisions made for me in the foregoing codicil I hereby assent to the terms and conditions thereof.

Dated November 16th, 1911.

Harriet Arnold Tourtellotte

Appendix 3

Tourtellotte Board of Trustees Ordinance

NOTICE OF TOWN MEETING

TOWN OF THOMPSON

WEDNESDAY, JUNE 10, 2009

The Electors and Citizens qualified to vote in Town Meetings of the Town of Thompson, Connecticut, are hereby notified and warned that a Town Meeting of said Town will be held at the Library/Louis P. Faucher, II Community Center, 934 Riverside Drive, (Rte. 12), North Grosvenordale, Connecticut, on Wednesday, June 10, 2009 at 7:00 p.m. in the evening for the following purposes:

To choose a moderator for said meeting;

To determine the wishes of those present and eligible to vote upon the following proposed Ordinance;

BE IT ORDAINED, By the Town Meeting of the Town of Thompson, the Town of Thompson hereby accepts the proceeds of the Jacob F. Tourtellotte Trust as received from his Trustees and establishes a permanent municipal

Appendices

Appendix 1

Tourtellotte Will

June 14, 1910

I, Jacob Francis Tourtellotte, of the City of Minneapolis, Minnesota, being of full age and sound mind, declare this to be my last will and testament, hereby revoking all former wills by me made:

First: I direct that my debts, if any, and my funeral expenses be first paid out of my personal property.

Second: Subject to the foregoing direction, I give, bequeath and devise unto my wife, Harriet Arnold Tourtellotte, all my estate, property and effects, real, personal and mixed, of every kind and wherever situated, to use and enjoy the same and to own and dispose of the income therefrom for and during the term of her natural life, should she remain my widow; but if she shall marry, then she shall use and enjoy said estate, property and effects and own and dispose of the income therefrom until the day of her marriage only.

Third: Immediately upon the decease of my said wife, if she shall die my widow, or immediately upon marriage, if she shall marry, I give, bequeath and devise my estate, property and effects as follows:

- a. To the children of my nephew, Mills Tourtellotte, who may be alive at the time of my said wife's death or marriage, twenty five thousand dollars, to be divided among them equally;
- b. To the children of my nephew, John Francis Tourtellotte, who may be alive at the time of my said wife's death or marriage, twenty five thousand dollars, to be divided among them equally;
- c. To the children of my niece, M.L.C. Tourtellotte, now single, if she shall marry and have children who survive at the time of my said wife's death or marriage, twenty five thousand dollars,

to be divided equally among such children so surviving; In case of the death of all of the legatees mentioned in either of the foregoing paragraphs a, b and c, and before the decease or marriage of my said wife, the legacy in such paragraph bequeathed shall lapse and fall into the residue of my estate, unless any such legatee so dying shall have married and have lawful issue before the death of my said wife, in which case such issue shall take his, her or their parent's share by right of representation, it not being my intention that the bequest made in either of said paragraphs shall inure to the benefit of the heirs or assigns of any legatees therein mentioned, except as herein above provided. In like manner, the legacy provided in said paragraph "c" shall lapse and fall into the residue of my estate if said M.L.C. Tourtellotte shall not marry and have issue before the death or marriage of my said wife.

- d. To the children of Valentine Ballard, deceased, late of the county of Windham and state of Connecticut, the sum of five thousand (5000) dollars; to the children of Hamilton Ballard, deceased, late of Windham County, the sum of five thousand (5000) dollars to be divided among them equally; and to the children of Mrs. Sarah Spaulding, deceased, late of the same place, the sum of three thousand (3000) dollars to be divided among them equally.
- e. To the children of Hilton Ballard, deceased, late of Thompson, Connecticut, the sum of five thousand (5000) dollars to be equally divided among them.

It is my desire and I so direct that in each and every case where a legacy is herein given to the child or children of any person, if any such child or children have heretofore died or shall hereafter die before the death or marriage of my said wife, leaving lawful issue, then and in

such case said issue shall have and receive the legacy herein given his, her or their parent.

- f. To the Winona General Hospital Association at the City of Winona, Minnesota, and its successors forever, the sum of ten thousand (10,000) dollars to be by said association and its successors perpetually invested in safe interest bearing bonds (duly registered), and to devote the income therefrom to the maintenance of free beds and service in such hospital for indigent persons, who by reason of sickness or physical disability are fit subjects for treatment and care therein.
- g. To Oscar Tourtellotte of North Grosvenor -Dale, Connecticut, the sum of three thousand (3000) dollars.
- h. All the rest, residue and remainder of my property, of every kind and description or wherever situated remaining after the payment of the foregoing legacies I give, devise and bequeath immediately upon the death or marriage of my said wife to the town of Thompson, county of Windham, state of Connecticut, in trust for the maintenance of a free Memorial High School, which has been erected and presented by myself and my wife Harriet Arnold Tourtellotte, to said town, the same being maintained and erected between the Grosvenordale villages in said town of Thompson.

The provision herein made for my said wife is given and to be accepted by her in lieu of any interest or share in my estate to which she may be entitled under the law and the statutes of the state of Minnesota or any other state or country; and I emphatically direct that her use and enjoyment of my said estate shall not be interfered with by any of the legatees or trustees aforesaid, or any other person, and that she shall never be required to give any bond, surety or security, against waste or otherwise, and she shall not be required to inventory or appraise my estate or any part thereof.

And I do hereby appoint the said

Harriet A. Tourtellotte as sole executrix of this my Last Will and Testament so long as she shall live and remain my widow, with power, as such executrix, to sell and convey any of my estate for purposes of reinvestment without license from the Probate Court; and I hereby provide and direct that she shall not be required to furnish any bond, surety or security as such executrix, and that no inventory or appraisal of my estate shall be made until after the death or marriage of my said wife.

I appoint Minneapolis Trust Company, a corporation, of Minneapolis, Minnesota, to be sole executor of this my Last Will and Testament from and after the death or marriage of my said wife, but with no power or authority as such executor before that time; and I authorize and empower said Minneapolis Trust Company, as such executor, to sell, transfer and convey any part of my estate, without license from the Probate Court, as it may find such action necessary or expedient for the purpose of carrying out the terms of this will and making distribution of my estate in accordance therewith.

In Witness whereof, I have to this my Last Will and Testament, consisting of three typewritten pages and twelve lines, besides the attesting clause (to each of which pages I have subscribed my name) set my hand and seal this 14th day of June, 1910.

Jacob Francis Tourtellotte SEAL

The foregoing instrument, consisting of three pages and twelve lines, was at the date hereof signed, sealed, published and declared as his last Will and Testament by Jacob Francis Tourtellotte in presence of us, who in his presence and in the presence of each other did hereunto subscribe our names as attesting witnesses this 14th day of June, A.D., 1910.

B. Whitney of Minneapolis, Minnesota.

Edward J. Grimes of Minneapolis, Minnesota

In consideration of the provisions made for me in the foregoing will I hereby

assent to the terms and conditions thereof, dated June 14th, 1910.

Harriet Arnold Tourtellotte

Appendix 2

Tourtellotte Codicil

November 16th, 1911

I, Jacob Francis Tourtellotte, of the City of Minneapolis, Minnesota, being of sound mind and disposing memory, declare this to be the first codicil to my Last Will and Testament, which Will is dated June 14th, 1910.

Realizing that my wife, Harriet Arnold Tourtellotte, has reached the time of life when she should not be burdened with the care and management of my estate, I do hereby revoke the second paragraph of my Will, and publish and declare in lieu thereof, the following:

I give, devise and bequeath to my said wife, Harriet Arnold Tourtellotte, my homestead in Minneapolis and all the contents thereof, including my clothing, personal effects, jewelry and ornaments.

I give, devise and bequeath to the Rhode Island Hospital Trust Company of Providence, Rhode Island, all of my personal property (not including leases on real estate owned by me) to hold, manage, invest and reinvest the same during the lives of Harriet Arnold Tourtellotte, Harriet Elizabeth Arnold, Mary Rich and Helen Rich and for twenty-one years after the death of the survivor of them. In Trust, however, to pay the net income arising therefrom to my said wife, Harriet Arnold Tourtellotte, for her use, enjoyment and disposition for and during the term of her natural life, should she remain my widow, but if she shall re-marry, then she shall use, enjoy and dispose of such income only until the date of her marriage.

I give, devise and bequeath to the Connecticut Trust and Safe Deposit Company of Hartford, Connecticut, all real estate of which I did seized, together with the leases given by me thereon, to hold, manage, sell, convey, invest and reinvest the same during the lives of Harriet Arnold Tourtellotte,

Harriet Elizabeth Arnold, Mary Rich and Helen Rich and for twenty-one years after the death of the survivor of such persons. In Trust, however, to pay the net income arising therefrom to my wife, Harriet Arnold Tourtellotte, for her use, enjoyment and disposition for and during the term of her natural life, should she remain my widow. If she shall marry, then she shall use, enjoy and dispose of such income only until the date of her marriage.

Immediately upon the decease of my said wife, if she shall die my widow, or immediately upon her marriage if she shall remarry, I direct the Rhode Island Hospital Trust Company of Providence, Rhode Island, one of my trustees herein named, to pay out of the trust fund in its hands the legacies and bequests made in clauses a, b, c, d, e, f and g of the third paragraph of my said Will, subject to all the terms, conditions and limitations in said paragraph contained.

Clause H of the third paragraph of my said Will is hereby revoked and in lieu and in place thereof I hereby publish and declare the following:

My said Trustees shall thereafter continue to hold my said estate as hereinbefore provided for the period herein limited and during such time pay the net income therefrom to the Town of Thompson, County of Windham, State of Connecticut, for the maintenance of the Free Memorial High School, which has been erected and presented by myself and my wife, Harriet Arnold Tourtellotte, to the said Town, the same being erected and maintained between the Grosvenordale Villages in said Town of Thompson, and if there be more than sufficient income for the proper maintenance and support of said High School, then the excess of said income shall be used by the said Town of Thompson for the benefit of said High School and the extension of its work and efforts in educational lines.

Upon the expiration of the time limited for the duration of the trusts hereby created, the entire trust estate then remaining in the hands of my two Trustees