

consideration and include in the appraisement and make a part of it the property heretofore specifically devised to my daughters Elizabeth Henry Burton and Caroline Emily Nordstrom, and my sons Henry C. H. Burton and Denny Burton (excepting the furniture, silverware and pictures heretofore specifically bequeathed, which are not to be taken into consideration, included in or made a part of said appraisement) and shall allot and set off unto my daughters, Elizabeth Henry Burton and Caroline Emily Nordstrom, and unto my sons, Henry C. H. Burton and Denny Burton as their parts or shares respectively, which shall include that specifically devised by me to them in this my will the appraised value of, which respective devises shall form and constitute a part of their respective said one sixth parts or shares, and shall charge to the share or shares of those who have received advances of money, made by me to them, out of the estate for business purposes which money so advanced shall be made a charge against their respective share or shares, which charge or advance shall be distributed equally among the six parts hereinbefore named, and which advances at the time of making this will are as follows: - William W. Burton, Twenty Thousand (\$20,000) dollars; Denny Burton six thousand (\$6,000) dollars; Henry C. H. Burton, Four Thousand (\$4,000) dollars. It being my intention to divide my estate equally among my six children, and in making such division of my estate, the appraisers may take into consideration the amount of advances and deduct from their share or portion of the estate so allotted to them, an amount of property at the appraised value as will equal the charge against the respective shares for advances made, so that the six portions would be equal in appraised value by adding to each part the amount of the advance or advances which should be charged against it. And in event my estate cannot be divided into six equal parts, then my appraisers shall have the right to divide it into six parts as nearly equal as may be and charge against that part which is in excess of a one sixth of the appraised value of the whole estate, a sufficient sum to be paid to the part or parts which shall not be equal to one sixth of the whole appraised value as may be necessary to make the parts or shares of each equal. Provided, however, that in the appraisement of my Lake George property in Warren County, New York, the appraisement shall not be made by my executors and a person selected by them, but by three disinterested appraisers to be appointed by the surrogate Court of said Warren County, upon application made to said Court by my executors.

Tenth: In addition to the estate and property of which I have made disposition above I am the owner as tenant in common with my sister Mary O' Kara Spring of an interest in remainder after the death of my brother the Rev. Harman Denny in certain real and personal property which was bequeathed and devised to me by the twelfth clause of the last will of my deceased mother Elizabeth S. Denny. I had much as it would be a matter of great difficulty during the life time of my said brother the Rev. Harman Denny to ascertain or appraise the value of my said share or interest in remainder direct that the property to which I am thus entitled in remainder shall not be included in the appraisement and division of my estate and property provided for in the eighth paragraph of this my will, but that the same shall remain undivided until the death of my said brother. If for any reason it should seem expedient to my executors hereinafter named after the death of my said brother to partition or divide the same with

my sister Mary O' Kara Spring or in case of her decease with her heirs or devisees I give my said executors hereinafter named full power and authority to make such amicable partition or division together with power and authority to convey in severalty by proper deeds of exchange or partition to my said sister Mary O' Kara Spring or to her heirs or devisees such portion of the real estate now held in remainder and in common as she or they and my said executors may agree upon. After my said executors have partitioned this portion of my estate as aforesaid I direct them together with any other disinterested person whom they shall select to make a just, full, true and perfect inventory and appraisement of all the property real, personal and mixed which may have been partitioned or assigned to my estate in such partition proceedings together with all other property to which or my estate may be entitled in possession upon the death of my aforesaid brother Rev. Harman Denny and to then divide the same into six equal parts or shares in the same manner as provided in Paragraph Eight of this my will. Unto my daughter Elizabeth Henry Burton and her heirs forever I devise and bequeath one of the said parts; unto my son Thomas F. Burton and his heirs forever I devise and bequeath one of the said parts; unto my son Henry C. H. Burton and his heirs forever I devise and bequeath one of the said parts; unto my daughter Caroline Emily Nordstrom and her heirs forever I devise and bequeath one of said parts; unto my son Denny Burton and his heirs forever I devise and bequeath one of said parts; and unto my son Thomas F. Burton I devise and bequeath the other remaining part to be held in trust for the following purposes, namely: to pay the income of such part to my son William W. Burton for and during his life, said income not to be subject in any way to or for his debts or liabilities which he may have incurred or which he may incur in the future and the said income shall not in any way be subject to attachment or other process to enforce the payment of any such debts or liabilities of my said son William W. Burton. At the death of my son William W. Burton said part so devised and bequeathed to my son Thomas F. Burton in trust shall be divided among the children of my said son William W. Burton share and share alike, but the share of each of said children of my said son William W. Burton shall remain in the hands of said trustee until such child shall reach the age of twenty-one years, and only the interest of said share shall be paid to said child or children during his, her or their minority for their schooling and maintenance, and my executors hereinafter named are hereby empowered to sell (either at public or private sale) and convey by good and sufficient deed or deeds of conveyance at their discretion any part of the estate embraced in the part devised to the said Thomas F. Burton in trust for William W. Burton, the proceeds of such sale or sales shall be reinvested for the purpose of said trust and no purchaser or purchasers shall be obliged to look to said investment or reinvestment. I anticipate that the property of which I am in actual possession at the time of my death and of which I have made disposition by the preceding paragraph of my will will prove amply sufficient to equalize the shares of all my children to whom I have made