

LAST WILL AND TESTAMENT  
OF  
AUGUST MENCKEN  
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I, AUGUST MENCKEN, of the City of Baltimore and the State of Maryland do hereby make, publish and declare this my Last Will and Testament, hereby revoking any and all other testamentary disposition heretofore made by me.

ITEM ONE - I direct that all of my just debts and funeral expenses be paid as promptly as possible, and I authorize the payment of such sum for funeral expenses as my Executors may in their sole discretion deem suitable and proper, irrespective of any limitation thereon imposed by the laws of Maryland.

ITEM TWO - I give and bequeath to my niece, VIRGINIA MENCKEN MORRISON, now of Lancaster, Pennsylvania, if she survives me, the sum of Five Thousand Dollars (\$5,000), and if she does not survive me, then to her children who survive me, in equal parts.

ITEM THREE - I give and bequeath to the LIBRARY OF THE UNIVERSITY OF PENNSYLVANIA, Philadelphia, Pennsylvania, the bronze bas relief of Anastasius Ludwig Mencken now hanging over the fireplace in the sitting room on the first floor of 1524 Hollins Street, and all the books in the walnut secretary in the same room.

ITEM FOUR - I give and bequeath to the SMITHSONIAN INSTITUTION, Washington, D. C., all ivory carvings and wood carvings; my large cylinder music box and the table on which it

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stands, my collection of live steam locomotives with cars, boats, stationary power plants, and two models of steam engines constructed by me, one with a bi-polar dynamo, and all the objects listed in the letter to me from the SMITHSONIAN INSTITUTION dated June 20, 1958, and signed by Anthony Garvan, Head Curator, Department of Civil History.

ITEM FIVE - I give and bequeath to the MARYLAND HISTORICAL SOCIETY, Baltimore, Maryland, all books on ships or on matters pertaining to ships, all ship models, miniature cannons, old and modern firearms, not hereinabove otherwise bequeathed, and

the two small portraits in oil, one of my father and one of my mother. I request that that if this bequest is accepted, the items shall be preserved by the Society, and not disposed of.

ITEM SIX - I give and bequeath to the ENOCH PRATT FREE LIBRARY, Baltimore, Maryland, all my books, pamphlets, letters, pictures, papers and prints not hereinabove otherwise specifically bequeathed.

ITEM SEVEN - I give and bequeath to my friend WILLIAM F. SCHMICK, JR., now President of The A. S. Abell Company, if he survives me, the table silver, round and flat, engraved with the Mencken family crest, which was given to my late brother, Henry L. Mencken, as a wedding present by the Directors of The A. S. Abell Company.

ITEM EIGHT - I give and bequeath to my friend LOUIS CHESLOCK, now a professor at the Peabody Conservatory, Baltimore, Maryland, if he survives me, the sum of Two Thousand Dollars (\$2000), all wines, liquors, and cigars; and if he does not survive me,

- 2 -

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to his wife Alice, and if she does not survive me, then to his son Barry.

ITEM NINE - I hereby confer upon the SMITHSONIAN INSTITUTION Washington, D. C., the MARYLAND HISTORICAL SOCIETY, Baltimore, Maryland, the ENOCH PRATT FREE LIBRARY, Baltimore, Maryland, the WALTERS ART GALLERY, Baltimore, Maryland, and the BALTIMORE MUSEUM OF ART, Baltimore, Maryland, the right and privilege of selecting, by letter directed to my Executors within six months following my death, any other tangible personal property owned by me, except cash, and not hereinabove otherwise specifically bequeathed, and I give and bequeath the object or objects so selected to the selector. In the event that more than one should make the same selection, then the ownership shall be established by lot,

or  
in such other manner as may be agreed upon. I request that if  
this bequest is accepted the items shall be preserved by the  
legatee  
or legatees, and not disposed of.

ITEM TEN - I give and devise the house and lot at 1524  
Hollins Street Baltimore, Maryland, and all other real estate I  
may  
own at my death, to the UNIVERSITY OF MARYLAND, College Park,  
Maryland,  
for University purposes.

ITEM ELEVEN - I give and bequeath to the said UNIVERSITY  
OF MARYLAND all the furnishings and other contents of the said  
house  
at 1524 Hollins Street remaining after satisfaction of the  
bequests  
hereinabove, to be used for University purposes on University  
property  
or disposed of according to University rules.

ITEM TWELVE - Provided the devise in Item TEN above is  
accepted, I give and bequeath to the said UNIVERSITY OF MARYLAND  
the  
sum of Twenty Five Thousand Dollars (\$25,000) to be used for the

- 3 -

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preservation of the said house at 1524 Hollins Street and  
neighborhood,  
in any manner deemed best by the University.

ITEM THIRTEEN - All the rest, residue and remainder of my  
estate, real, personal and mixed, of whatsoever nature and  
whereso-  
ever situated, I give devise and bequeath to the MERCANTILE-SAFE  
DEPOSIT  
AND TRUST COMPANY, of Baltimore, Maryland, in trust, for the  
following  
uses and purposes and on the following conditions:

(a) To pay out of the net income the sum of  
Fifty Dollars (\$50) per month, accounting from my death

to my housekeeper, EMMA VIRGINIA BALL, for and during the term of her natural life.

(b) To pay the balance of said net income to my sister, ANNA GERTRUDE MENCKEN, during her life, in quarterly payments, dating from my death.

(c) Upon the death of my said sister, first, to provide out of the balance of the trust, by annuity or otherwise, for the payment of the sums payable hereunder to EMMA VIRGINIA BALL, any balance of said provision available at the death of said EMMA VIRGINIA BALL to go to the ultimate remainderman hereinafter named. After such provision and payment, if any, or at the death of my said sister if no such provision or payment is required, the trust shall terminate, and the balance of said trust estate shall be distributed absolutely to the ENOCH PRATT FREE LIBRARY of Baltimore City, for any purpose or purposes within its discretion.

ITEM FOURTEEN - I appoint the MERCANTILES-SAFE DEPOSIT AND TRUST COMPANY, Baltimore, Maryland, and its lawful successor, as my sole Trustee under this Will, with the following powers and authority, to be interpreted liberally to give the Trustee the utmost discretion in its management of the trust estate:

To improve, sell, lease, mortgage, exchange or otherwise deal with or dispose of, whether of original or subsequent investment, the whole or any part of my property coming into its hands under this Will upon such terms and conditions as may seem to it advisable; to receive, hold, invest and reinvest any of the funds

- 4 -

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hereunder in such amount as it may seem fit in stocks, bonds or other property, real or personal, including choses in action, except stock of a regulated investment company, or mutual funds; to execute and accept such mortgages, deeds, assignments, covenants, contracts and other instruments as it may deem

necessary in the proper management of any of the property coming into its hands under this Will; to vote or deposit any securities at any ordinary or extraordinary meeting, or with respect to any agreement or reorganization plan affecting such securities, and to participate in any way in reorganizations, mergers, consolidations, or dissolutions involving any securities held by it; to make any conversion or exercise any option with respect to such securities or other property; to prosecute, defend, or intervene in any suit or actions at law or in equity, or other proceeding, which may be necessary or desirable with respect to any of the property coming into its hands under this will; to make any divisions and sales necessary or desirable to make such distribution as are hereinabove directed; and in general to do and perform any and all acts which it may deem necessary or desirable in the proper care and management of said property which would not be unlawful if I had specifically authorized such powers. The Trustee shall not be liable to see to the proper application of any property or money paid out or distributed by it in the execution of this trust and it shall be relieved of all liability by the taking of a receipt from any person to whom such payment or distribution is duly made. The Trustee shall have all of the above powers as to any property remaining in the trust estate until the entire estate has been finally distributed, notwithstanding the termination of the trust.

ITEM FIFTEEN - I direct that all estate, succession and inheritance taxes which may be imposed by the United States or by any State or political subdivision thereof by reason of my death or because of the transfer, disposition or distribution of any property deemed a part of my taxable estate at death, shall be paid by my Executors out of my residuary estate as an expense of administration, and my Executors shall not seek reimbursement from any person for any portion of the taxes so paid.

ITEM SIXTEEN - I appoint MERCANTILE-SAFE DEPOSIT AND TRUST COMPANY, Baltimore, Maryland and RICHARD F. CLEVELAND, Baltimore,

Maryland, as my Executors. In the event of the death,  
disability,

- 5 -

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or renunciation of said RICHARD F. CLEVELAND, I desire  
MERCANTILE-  
SAFE DEPOSIT AND TRUST COMPANY to be my sole Executor. I desire  
that said RICHARD F. CLEVELAND shall be excused from giving  
bond,  
other than the minimum required by law. I authorize my Executors  
in their absolute discretion, to compromise and settle any debts  
or obligations due to or by my estate; and to sell, partition or  
exchange any part or all of my estate, both real and personal,  
save  
only the property specifically devised or bequeathed herein,  
without  
application to any court for authority, for such consideration  
and  
on such terms as my Executors may deem proper, for any purpose  
in  
connection with the administration of my estate.

IN WITNESS WHEREOF I have hereunto subscribed my hand  
and affixed my seal this 4<sup>th</sup> day of June, 1963.

/s/ August Mencken  
----- (SEAL)  
August Mencken

SIGNED, SEALED, PUBLISHED and DECLARED by the above named  
Testator, AUGUST MENCKEN to be his Last Will and Testament, in  
our presence and in the presence of each other, who in his  
presence  
and at his request, have hereunto subscribed our names as  
witnesses,  
having seen him write his name in the margin of the first five  
pages  
and at the foot of the Will.

5/31/67 /s/ Wm A Fisher Jr Address 10 Light St, Balto (2) Md.  
[illegible]  
5/26/67 /s/ Thomas [initial illegible] Waxter Jr Address " " " "  
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[illegible]

