

## Marblehead/Swampscott

# Settlement in will fight gives town \$11 million

By Julie Manganis  
Staff Writer

MARBLEHEAD-A settlement that will create an \$11 million endowment to fund scholarships and a new children's room at the town library has been reached between the children of a wealthy furniture maker and the town, lawyers said.

Oliver P. Killam was the founder of Ivy Hall, a furniture company that outfitted schools and libraries.

In 1995, he drafted a will leaving the bulk of his fortune to the town he loved so much, asking that the money be used to fund college scholarships and a new children's room at the Abbot Library. The will left all of his real estate in his two children.

But before his death, one of his two children, Patricia Eggerman, got power of attorney over Killam's affairs – and, a judge later found, quickly transferred all of Killam's fortune, at least \$15 million, into trusts controlled by herself and her brother, Roger.

And when Killam died in 2002, while living in Nevada, the children kept it quiet, not even publishing an obituary in the local papers. It took months for Killam's longtime lawyer, Robert Welch, to learn that his client had died.

That touched off a four-year legal battle over the validity of the 1995 will, with Eggerman and Roger Killam contending their father wasn't in his right mind when he signed it and Welch and fellow lawyer Frank Muzio saying he was.

In 2004, an Appeals Court Judge ruled that the will was valid and ordered that the money be turned over to the town to create the scholarship and library fund.

Now more than two years after that ruling, that is about to happen, said Earl Weissman, a lawyer for the town of Marblehead.

The settlement must still be approved by a judge, but Weissman and Muzio say that it has been signed by all parties.

And while the town won't receive quite as much money as it

initially expected, "I think the town came out OK," Weissman said.

"We were going to end up with nothing after what the kids had done," he said.

Muzio and Welch spent months tracking down the money Eggerman had moved into other accounts. He believes they managed to recover about 87 percent of what they knew about.

The money will now be turned over to the Oliver P. Killam Charitable Fund, which will invest the money. Earnings on that \$11 million endowment – estimated at \$400,000 to \$500,000 a year – will be divided 80-20, with 80 percent funding the Oliver P. Killam Scholarships and the balance going to the library.

The first of those scholarships is expected to be awarded this June, Muzio said.

Eggerman and Roger Killam re-received their father's real estate, including a 14-unit apartment house on 5 acres of land, currently assessed at just under \$3 million.