

have rendered to me and my wife and children, and I direct my Executors to pay the Collateral Inheritance Tax on said sums out of my estate.

Item III. All the rest, residue and remainder of my estate, real and personal, I give, bequeath and devise to my Executors hereinafter named upon the following Trusts, to wit, IN TRUST, if my wife Louisa E. Burk, be living at the time of my decease, to set apart one equal fourth part of my said residuary estate, and out of the income of said one-fourth part, to maintain and support, during her life, my said wife who has unhappily been deprived of her reason and understanding, in such manner as to my Executors shall seem proper, having regard to the manner in which she is supported and maintained by me in my lifetime.

IN FURTHER TRUST, to divide and pay over the remaining net income of said fourth-part, and the principal of all my residuary estate aforesaid to and among my four children, Charles A. D. Burk, Edwin H. Burk, Frederic G. Burk and Edith L. Burk, in equal shares as follows;

the one-fourth part of the principal of my residuary estate which is set apart for the maintenance of my wife shall not be paid to or divided among my children until after her death; all other the principal of my residuary estate shall be divided and paid over immediately upon the settlement of my estate; all income coming to my children shall be paid over and divided half-yearly. (But in case any of my children shall not have reached the age of twenty-one years when any portion of the principal shall be divided, his or her share thereof shall be held in further trust for him or her by my said executors until he or she shall reach said age, and the net income thereof shall in the meantime be paid to his or her guardian, half yearly. And in case any of my children shall be dead at any time when any sum whether of principal or income shall become payable to him or her, or his or her guardian, such sum shall be paid to his or her descendants in equal shares "per stirpes" if he or she shall leave any descendant or descendants living when such sum shall become payable, and failing any such descendant then living such sum shall then and in that case be paid to my remaining children and descendants of any child of mine who may then be dead leaving descendants then living, in equal shares so however that the descendants of a deceased child shall take only the share its parent would have taken if living, and provided that the share of principal that may be so payable to any child of mine who may not then have reached the age of twenty-one years shall be held by my said Executors upon the same trusts for such minor child as are herein declared in respect of his or her original shares of my said residuary Estate.

IN FURTHER TRUST, during the period of activity of any of the foregoing trusts to execute over the corpus of the estate any or all of the powers following.

- (a). To collect the income; to make leases of the real estate, to make necessary repairs and outlays.
- (b). To invest, reinvest and alter and vary investments.
- (c). To sell all and any part of my real estate; to make good Deed of Conveyance therefor without obligation on the part of the purchasers to see to the application of the purchase money.
- (d). To retain so long as they shall deem it wise all investments, legal or illegal, of which I may die possessed, and to make any new investments they may deem proper to save from sacrifice or render more valuable or secure investments as aforesaid, of which I may

die possessed.

(e). To make any arrangements concerning my interests in any partnership or its assets, which they may deem advantageous either in the way of continuing the same or in selling the same for cash or on credit with or without security or otherwise. AND my said Executors or any of them may purchase for himself or themselves my interest in any partnership in which he or they may be concerned at the time of my death at the price or value at which my interest may appear on the books of such partnership at the time of my death together with interest thereon from the last previous settlement or division of profits and losses.

Item IV. I nominate, constitute and appoint my son, Charles A. D. Burk and my brothers, Alfred E. Burk and Louis Burk, as the Executors of this my last will.

Item V. I nominate, constitute and appoint my Brothers Louis Burk and my Sisters-in-law Matilda Grater and Catharine Anna Buechele, the guardian of the persons and estates of my minor children.

IN WITNESS WHEREOF I have hereunto set my hand and seal this Twenty-eighth day of February Anno Domini, One thousand nine hundred and eight. (1908)/

Charles D. Burk (seal).

Signed, sealed, published and declared by the said Charles D. Burk the Testator above named as and for his last will and testament, in the presence of us, who, at his request and in his presence and in the presence of each other have hereunto subscribed our names as witnesses.

Chas. W. Miller

Henry T. Gullmann.

CODICIL

BE IT REMEMBERED That I, Charles D. Burk, of the City of Philadelphia, Manufacturer, being of sound and disposing mind, memory and understanding, do make and publish this as a Codicil to my above last Will and Testament, which is dated the 28th, day of February A. D. 1908, as follows:

Item: I revoke the appointment of Charles A. D. Burk, Alfred E. Burk and Louis Burk as Executors as set forth in Item IV. of my said Will, and also as Trustees, and in their place I Nominate, constitute and appoint my sons, Edwin H. Burk, and Frederic G. Burk to be the Executors and Trustees, giving the said Edwin H. Burk and Frederic G. Burk full and ample power, in the discretion and judgment of either or both of them, to appoint another Executor and Trustee at any time they may deem it wise and fit to do so, giving and granting to them, both as Executors and Trustees, or their successors full power and authority, for the purpose of paying my debts, or for any other purpose connected with the settlement and distribution of my estate, to sell any and all of my real estate at either public or private sale, and to make and execute good and sufficient deeds therefor to the purchaser or purchasers thereof, free and clear of all limitations, trust and debts, without any liability on their part to see to the application of the purchase money. I hereby order and direct that no security whatever be exacted of the said Edwin H. Burk, and Frederic G. Burk, or their appointees as Executors and Trustees either in the State of Pennsylvania or the State of New Jersey, or elsewhere for the faithful performance of their duties. No commission or compensation is to be charged by or paid to my executors and trustees.

I do hereby ratify and confirm my said last Will and Testament in all other respects whatsoever.