

LAST WILL AND TESTAMENT
OF THE
HON. ASA PACKER



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I, Asa Packer, of Mauch Chunk in Carbon county Pennsylvania, do make, publish and declare this to be my last will and testament.

First. I hereby constitute and appoint my sons Robert A. Packer and Harry E. Packer, and my friends Elisha P. Wilbur and Robert H. Sayre of Bethlehem executors and trustees of this my will and the President of the Lehigh Valley Railroad Company, for the time being shall also be one of the executors and trustees of this will. I shall hereafter call them the trustees as a convenient mode of designating them.

Article 1.—
Appointment
of executors
and trustees.

Second. I direct that the trustees shall at all times be kept up to the number of five; and if any one or more should die, resign or refuse to act, then the surviving or acting trustees for the time being, shall have the power from time to time as often as may be necessary by an instrument of writing under their hands and seals duly executed, acknowledged and recorded, to fill such vacancy or vacancies and if necessary, to obtain the confirmation of such selections or appointments by the proper court. I further will and direct, that such persons so elected or appointed shall not be required to give security when so elected or appointed. Should any one of the trustees who is herein specially named be elected president of the Lehigh Valley Railroad Company, either before or after qualifying as an executor and trustee hereunder, then the vacancy thus occurring shall be filled by the selection of some one else in the manner above provided for. My object is that the president of that company should always be one of the trustees, and if there

Article 2.—
Trustees shall
be always five
in number;
new trustees
shall be ap-
pointed by sur-
viving or ac-
ting trustees.
President of
L. V. R. R.
shall be one of
the trustees.

should be a change in the presidency of that company the person retiring therefrom shall cease to be a trustee, unless he is one of those especially named herein; and in that event the last trustee appointed shall resign his place and the incoming president of said company shall be appointed and qualified as a trustee in his stead. The trustees who may be substituted as above provided shall have all the rights, powers, authority and title hereby given, granted and conferred upon those originally appointed.

Article 3.—
All property
devised to trust-
tees.

Third. I give, devise and bequeath to the trustees in fee simple or for any less estate all my property real and personal of every kind and wherever situate, upon the trusts hereafter expressed.

Article 4.—
Power of trust-
tees to sell for
cash or upon
credit.
No liability on
part of pur-
chaser to see to
application of
purchase-
money.

Fourth. I authorize and empower the trustees to grant sell and convey any and all the property real and personal hereby given and devised to them at such time or times for such prices, upon such terms as to cash or upon credit, as they may think best; and to make, execute and deliver to the purchasers thereof, contracts, deeds, bills of sale and all other instruments of writing necessary or proper to carry this provision into effect, without any liability on the part of the purchaser to see to the application, non-application or misapplication of the purchase money; and these provisions shall apply as fully to all property they may acquire for the estate as to that which is hereby given and devised to them.

Article 5.—
The concurrent
action of four
trustees shall
make their act
valid.
In voting upon
L. V. R. R.
stock the votes
of three trust-
tees to control.

Fifth. In all matters requiring the exercise of discretionary power hereunder, the concurrent action of four of the trustees shall be sufficient to make their acts valid. In voting upon my Lehigh Valley Railroad Company's stock and other stock, the votes of three of the trustees shall control the manner, in which the votes upon said stock shall be cast.

Sixth. I direct that the trustees shall keep full and accurate records of all their proceedings and accounts and shall settle their accounts as often as they may think best, but not less frequently than once in three years.

Article 6.—
Records and
accounts of
trustees and
times of settle-
ment.

Seventh. As I am the owner of large amounts of stock of the Lehigh Valley Railroad Company and other stocks, and have been carrying more or less of the stock upon loans and do not wish it to be sold until it may be deemed advisable as hereafter indicated by me, and as I am the owner of coal lands the products of which are or may be tributary to the railroad and I wish these interests protected and worked together, I give and confer upon the trustees discretionary power and authority to manage these interests as well as all my property of every kind in such manner as they may deem best; to continue any business in which I may be engaged and to work open and develop any coal lands I may own, making such expenditures and outlays as they may think best and for these purposes to borrow money, to give notes or other instruments of writing therefor, to execute mortgages and pledges of the property real and personal and to bind my estate for such loans as fully and amply as I could do if living.

Article 7.—
Trustees to con-
tinue any busi-
ness of testator
they see fit.

Power to bor-
row money.

Eighth. I further authorize and empower the trustees to subscribe and pay for any new issues of stock of the Lehigh Valley Railroad Company or of any companies connected therewith, which the trustees may at any time deem proper; and in like manner to borrow money and make pledges and mortgages with notes or other instruments of writing therefor. I leave the amount of such subscription entirely to the discretion of the trustees.

Article 8.—
Authority to
trustees to sub-
scribe for new
issues of stock
of the L. V.
R. R. Co. or
connecting
Co.'s.

Ninth. While I have given the trustees this power and discretion I wish them to exercise it with the utmost circumspection. I have spent a large part of my life in projecting and building up

Article 9.—
Trustees to use
their power
and discretion
circumspectly.

the Lehigh Valley Railroad. It has been remunerative to me, the stockholders have given me their confidence and I have a deep interest in its future welfare and prosperity and in the welfare of those who have invested in it and have been associated with me in the enterprise. I wish my estate to be identified with it and the trustees to have an influence in its management for as long a period as it can be done consistently with the best interests of the company and of my estate and in the judgment of the trustees it may be judicious or proper. These remarks apply to all other railroad stocks owned by me, which are connected with the Lehigh Valley Railroad.

Article 10.—
Authority to
trustees to sub-
scribe for new
issues of L. V.
R. R. Co.
bonds.

Tenth. I further empower the trustees to subscribe for any new issues of bonds which may be made by the Lehigh Valley Railroad Company from time to time if they think best.

Article 11.—
Testator's wife
to hold abso-
lutely such
part of his es-
tate, principal
and income, as
she shall select.
All other pro-
visions to be
subordinate to
this one.

Eleventh. I hereby give, devise and bequeath to my wife Sarah M. Packer, such part and portion of my estate real and personal, principal and income as she may at any time during her life desire wish or select—this is to be hers absolutely and the trustees are hereby authorized, empowered and directed at any time or times when she shall request them so to do, to pay, hand over and transfer to her any property or money whether principal or income according to her wishes and directions. Should she choose to indicate at any time what she wishes set apart for herself out of the principal or as an annual income, the trustees may do so in accordance with her wishes and may then administer the remainder of the estate and trust property, as herein directed. My purpose is that she shall have whatever she wishes out of my estate and all other provisions hereof, are subordinate to this one.

Article 12.—
Disposition of
Mansion
House at
Mauch Chunk.

Twelfth. I give and bequeath to my daughter Mary Hannah Packer, and my son Harry E. Packer, as joint tenants, my mansion-house in

which I now reside at Mauch Chunk, and the dwelling adjacent thereto now occupied by my son Harry E. Packer, together with all the grounds in the enclosure appertaining thereto for and during their joint lives. I direct that my wife shall have the right to occupy the mansion-house during her lifetime, and after her death my daughter shall occupy it during her lifetime and my son Harry E. Packer shall have the right to occupy the house he now lives in during his lifetime, and the grounds shall be used by them in common. And I will and direct that the survivor of my said son and daughter shall have the right to occupy the above property during the lifetime of such survivor; and upon the death of the survivor it shall descend to the child or children of my said son and daughter, if any, or the issue of any such child or children as shall then be dead, such issue to take only the share which their parent or parents would have been entitled to if then living at the death of the said survivor. And in case of the death of my said son and daughter without leaving any such child or children, or the issue of any such child or children surviving at my death then the said estate shall go to my son Robert A. Packer for and during the term of his natural life and upon the death of the said Robert A. Packer, it shall descend to the child or children of the said Robert A. Packer if any, or the issue of any such child or children as shall be dead, such issue to take only the share which their parent or parents would have been entitled to if living at the death of the said Robert A. Packer and in case of the death of the said Robert A. Packer without leaving any such child or children or the issue of any such child or children surviving, then the said estate shall fall back into and become a part of the residue of my estate. In case of the death of my daughter without issue, then I will and direct that my son Robert A. Packer may

move into and occupy the mansion if he elects so to do; and in case he should do so then he shall take the place of my daughter as to said property and all the provisions of this article shall then apply to him as though his name had been substituted for that of my daughter wherever it occurs in this article and his rights and those of his issue shall be the same and no more than those of my daughter and her issue.

Article 13.—
Robert A.
Packer to have
house and lots
in Bethlehem.

Thirteenth. The title to the house and lots in Bethlehem now occupied by Helena Rathbun is in my name but it was intended for my son Robert A. Packer, and I hereby devise the same to him.

Article 14.—
Payments from
income to other
parties, viz.,

Fourteenth. I further will and direct that the trustees shall pay out of the income of the estate the following sums of money, to the following persons

E. P. Wilbur,
\$25,000.

To Elisha P. Wilbur, twenty-five thousand dollars (\$25,000).

W. W. Wilbur,
\$10,000.

To Warren W. Wilbur, ten thousand dollars (\$10,000).

Mrs. H. Rath-
bun, \$10,000.

To Mrs. Helena Rathbun, ten thousand dollars (\$10,000).

R. Rathbun,
\$10,000.

To Robert Rathbun, ten thousand dollars (\$10,000).

J. Rathbun,
\$10,000.

To John Rathbun, ten thousand dollars (\$10,000).

Hattie Fitch,
\$10,000.

To Hattie Fitch, ten thousand dollars (\$10,000).
All of them being my nephews and nieces.

E. A. Packer,
\$25,000.

R. H. Sayre,
\$25,000.

Also to my cousin Elisha A. Packer, twenty-five thousand dollars (\$25,000) and to my friend Robert H. Sayre twenty-five thousand dollars (\$25,000).

Children of
Hannah Ash-
ley, \$5,000.

To the children of Hannah Ashley, the sister of my wife who may be living at the time of my death the sum of five thousand dollars to be divided among them equally share and share alike.

To the grandchildren of Mrs. Fannie Cooley, sister of my wife, the sum of five thousand dollars. But the income or interest of this sum shall be paid to the children of Mrs. Fannie Cooley during their lifetime equally, and the principal shall be divided among the children of each child upon the death of the parent, and the children of each child shall take *per stirpes*. But the income which Zophar Barnes would be entitled to shall be applied by the trustees during his lifetime to the support of his children and the principal of the share, of which the income is to be paid to his children, shall be divided among his children at his death. They shall further pay to Clarinda Baker, sister of my wife, the income of a principal of five thousand dollars during her lifetime and the principal shall be divided among her children or issue at her death. To the children of Lucius Blakesee now deceased, the brother of my wife, as follows:—

To his son Whitmer Blakesee, five thousand dol-	Whitmer Blakesee, \$5000.
lars.	To daughters, \$1000 each.
To his daughters Harriet, Hannah, Mary and Adeline, one thousand dollars each.	J. J. Blakesee, \$10,000.
To James J. Blakesee and W. W. Blakesee, brothers of my wife, ten thousand dollars each.	W. W. Blakesee, \$10,000.
To Benjamin F. Blakesee, Gibson Blakesee and Lemuel Blakesee brothers of my wife twenty-five hundred dollars each.	B. F. Blakesee, \$2500.
To Eunice, Lucinda, Eliza and Betsy, sisters of my wife twenty-five hundred dollars each.	G. Blakesee, \$2500.
To Mrs. Marian Skeer, my adopted daughter, the sum of ten thousand dollars.	L. Blakesee, \$2500.
	Eunice, Lucinda, Eliza and Betsy, sisters of wife, \$2500 each.
	Mrs. M. Skeer, \$10,000.

Fifteenth. I further give and bequeath to Fannie P. Skeer, the daughter of my adopted daughter Marian Skeer, and to my grandchildren Sallie P. Lindeman, Robert P. Lindeman and Garrett Lindeman the children of my deceased daughter Lucy Lindeman the sum of fifty thousand dollars each.

Grandchildren of Mrs. Fannie Cooley, \$5000. Method of payment and division.

Application of income of Zophar Barnes.

Clarinda Baker to have income of \$5000. Principal to her children.

Article 15.—
Fannie P. Skeer, \$50,000.
Sallie P. Lindeman, \$50,000.
Robert P. Lindeman, \$50,000.
Garrett Lindeman, \$50,000.

Article 16—
Trustees Divinity School,
income of
\$33,500.

Principal.

Sixteenth. I give and bequeath to "The Trustees of the Divinity School of The Protestant Episcopal Church in Philadelphia," the sum of thirty-three thousand five hundred dollars, the income of which shall be paid and applied annually for the maintenance and support of the said Divinity School. The principal shall be kept and preserved undiminished and the income alone applied as above provided.

Article 17—
Jefferson Medical College,
\$5000.

Seventeenth. I also give and bequeath to "The Trustees of the Jefferson Medical College of Philadelphia" the sum of five thousand dollars.

Article 18—
Muhlenburg College,
\$30,000.

Eighteenth. I also give and bequeath to the trustees of the Muhlenberg College, situate in Allentown Lehigh county Pennsylvania the sum of thirty thousand dollars.

St. Mark's Church,
\$30,000.

To the rector, churchwardens and vestry of St. Mark's Church, Mauch Chunk, the sum of thirty thousand dollars.

Washington College, Va.,
\$4000 and
bond for \$1000.

And to the trustees of Washington College, Lexington Virginia the sum of four thousand dollars. And I also direct that the bond of the Washington College Lexington Virginia, now held by me, for one thousand dollars shall be surrendered and cancelled by the trustees thus making the legacy to that college five thousand dollars.

Bequests and legacies mentioned in Articles 16, 17, and 18, to be paid in L. V. R. R. Co. bonds.

All the bequests or legacies mentioned in Articles sixteen, seventeen and eighteen shall be handed over and transferred in manner above provided in annuity bonds of the Lehigh Valley Railroad Company issued under and secured by the mortgage of that company, for forty millions of dollars, dated the thirteenth day of November Anno Domini one thousand eight hundred and seventy-three in favor of the Fidelity Insurance, Trust and Safe Deposit Company of Philadelphia and known as the consolidated mortgage loan, at such times and in such amounts as the trustees under this will may deem it convenient so to do. But until the said

bonds have been thus handed over, the trustees shall pay the interest to the legatees upon the principal sums mentioned; the interest to commence one year after my death.

The time or times of the payment of the principal shall be entirely within the discretion of the trustees under this will.

Nineteenth. I further will and direct that there shall be paid to the Lehigh University situate in South Bethlehem Pennsylvania, the income of a principal sum of one million five hundred thousand dollars to be applied by the trustees of the said university to its maintenance and support.

The trustees under this will shall retain the principal of the said sum of one million five hundred thousand dollars, with all accretions which may be added thereto out of the annual income until the final termination of the trusts created for my children and their children and issue under this will.

The trustees of this will shall pay over to the trustees of the Lehigh University, out of the income of the said sum of one million five hundred thousand dollars, fifty thousand dollars during the first year after my death, and increase this sum at the rate of five thousand dollars per year, until the annual amount shall be equal to the whole income of the said principal sum of one million five hundred thousand dollars, but the trustees may increase or diminish the amount so to be paid annually out of the said income, as in their judgment it should be thought necessary or expedient for the interests of the university. This is left and confided to the discretion of the trustees hereunder.

Any amounts less than the whole income of the said sum of one million five hundred thousand dollars not paid to the trustees of the university shall be annually added to the principal sum of one million five hundred thousand dollars and the income thereafter derived therefrom shall be held appro-

Interest to begin one year after testator's death.

Article 19.—
Lehigh University, income of principal of \$1,500,000.

Principal to be retained till termination of trusts for children.

Amounts of annual payments of income to Lehigh University.

priated and paid by the trustees in the same manner as is above provided for in reference to the income of the said principal sum of one million five hundred thousand dollars.

Article 20.—
Income of
principal of
\$500,000 to Le-
high Univer-
sity for library.

Twentieth. I further will and direct that there shall be paid annually to the trustees of the Lehigh University, the income of a principal sum of five hundred thousand dollars, which shall be paid for the erection of a library building on the college grounds, and for the purpose of fitting up and furnishing said library, purchasing books and such other articles as may be suitable for making it useful and valuable as a library.

The trustees under this will shall also have the discretionary power to pay over so much of the said income and to withhold so much annually as they may deem proper and expedient; the income however is to begin from the time of my death. Such portions of the income as may not be paid over shall be added annually to the said principal sum of five hundred thousand dollars; and the income thereof shall be held, appropriated and paid as is above provided in reference to the income of the said principal sum of five hundred thousand dollars.

Trustees under
this will to
have supervi-
sion of library.

The place, style and manner of building and the rules for the use and management of the library, shall be subject to the approval of the trustees under this will. The library shall be open to the use of the public but its government shall be controlled by the trustees of the university subject as to the rules thereof to the approval by the trustees of this will as I have above indicated. This provision is made for the founding, erection and support of this library as a memorial to my daughter Lucy E. Lindeman deceased and shall be called the "Lucy Packer Library." I further authorize and empower my said trustees to use any part of the income of my estate which is not specifically appro-

Library shall
be called the
"Lucy Packer
Library."

priated hereby, for the erection of buildings and making improvements for the university and library according to their discretion and judgment.

Twenty-first. I further will and direct that there shall be paid annually to the trustees of the hospital at Bethlehem Pennsylvania, now known as the St. Luke's Episcopal Hospital, and under the auspices of the Diocese of Central Pennsylvania the income of three hundred thousand dollars, which shall be paid to the trustees of the said hospital for its maintenance and support. They shall pay annually from the time of my death the whole or such part of the said income for the above purpose as they in their discretion may deem proper and expedient but any portion of the income not so paid over, shall be added annually to the said principal sum of three hundred thousand dollars, and the income thereafter to be derived therefrom shall be held, appropriated and paid by the trustees in the same manner as is above provided for in reference to the income of the said principal sum of three hundred thousand dollars.

This bequest is made with the understanding and on the condition that the employees of the Lehigh Valley Railroad Company and of other railroad companies of which the Lehigh Valley Railroad Company are owners or part owners, who may be injured, wounded sick or disabled by age or other cause while in the service of the companies are to be furnished with board, lodging and medical attention free of charge under rules to be adopted by the trustees of the hospital, and which shall be subject to the approval of the trustees under this will. The funds to be derived from this income shall be applied—first to the expenses of such employees and if any balance is left, out of the annual income, it may be applied to the general purposes of the hospital.

Article 21.—
To St. Luke's
Episcopal Hos-
pital income of
\$300,000 prin-
cipal.

Employees of
L. V. R. R. Co.
and others to be
treated free of
charge in said
Hospital.

Article 22.—
 Authority to
 trustees to keep
 principal and
 accretions of
 said sums of
 \$1,500,000,
 \$500,000, and
 \$300,000 in-
 vested in stocks
 and bonds of
 L. V. R. R. Co.

Twenty-second. During the period that the principal sums of one million five hundred thousand dollars, of five hundred thousand dollars and of three hundred thousand dollars mentioned in Articles nineteen twenty and twenty-one shall remain in the hands of the trustees of this will, it shall be lawful for the said trustees to invest and keep the same invested together with all accretions of income which may be added to the said principal sums as above provided for, in the stocks, bonds and other securities of the Lehigh Valley Railroad Company, and of other companies which may be owned by the Lehigh Valley Railroad Company or in which they may be interested as part owners.

Article 20.—
 Time of pay-
 ment of the
 three sums last
 mentioned.

Twenty-third. I further will, bequeath and direct that the trustees under this will shall at the time limited for the determination of the trusts under this will for my children and grandchildren and their issue as hereinafter provided for, or at any time prior thereto when they in their sole discretion shall think it advisable so to do, assign, transfer, pay over and deliver to the trustees of the Lehigh University the said sum of one million five hundred thousand dollars with the accretions thereto; to the trustees of the said university the said sum of five hundred thousand dollars, with the accretions thereto and to the trustees of the said Episcopal Hospital the said sum of three hundred thousand dollars with the accretions thereto in such securities as the same may be then respectively invested in; and in doing so the trustees under this will shall if it can be done lawfully and without the validity of these bequests being affected thereby, also have the power and authority to make such a deed of settlement of the said several sums upon the said institutions respectively with such conditions, limitations and trusts as may appear to them most beneficial for the purpose of carrying into effect the objects and intentions of

Authority to
 trustees to
 place condi-
 tions on expen-
 diture of said
 three sums of
 \$1,500,000,
 \$500,000, and
 \$300,000.

this will—and for the better securing of the funds hereby bequeathed and their application to the uses intended by me, the trustees of said institutions shall receive and hold the several amounts so paid over to them as endowment funds of which the income only shall be annually expended by them and the principal sums shall be kept invested by them.

My purpose is that the trustees under this will shall have the power to retain as large an interest in the Lehigh Valley Railroad Company and in the railroad companies owned in part or in whole by the said company for as long a period as they may think best for the interest of my estate and hence during the continuance of the trusts of this will I am not willing that they should be required to sell such securities as I have referred to until they may think it best; and I wish them to have the power to limit and control the sales of such securities even after they may have handed them over and assigned them, if it can be lawfully done.

I also desire to secure the application of the income from the sums of money I have thus donated to the objects for which I have provided in the manner best calculated to promote these objects, and most likely to insure beneficial results therefrom. As circumstances may arise which I can not now foresee that might render it desirable to confide to the trustees power to make limitations and conditions upon the handing over of these trust funds, I have therefore given and conferred upon them such discretion in reference thereto. But I have done this with the confident expectation that these powers will be exercised only for the promotion and protection of the interests which have been confided to the trustees under this will—and this power shall be null and void unless it can be exercised in accordance with the laws of Pennsylvania and without defeating the legacies which

Purpose of
testator.

I have bequeathed to the trustees of said institutions. But I also will and direct that in case the trustees under this will shall not exercise the power and authority of making the deeds of settlement as provided in this article at any time before the termination of the trusts under this will as hereafter provided, then the rights of the legatees respectively under articles nineteen, twenty and twenty-one hereof, shall become absolute to the legacies therein bequeathed and upon such determination the same shall be handed over and paid to the legatees for the uses hereinbefore set out and declared. In no event shall the principal of said legacies be expended by the said legatees when received by them, but the same shall be preserved intact and only the income thereof annually applied as is above provided for.

Article 24.—
Trustees to pay
to Mary Hannah
Packer,
Robert A.
Packer, and
Harry E.
Packer, \$20,000
per annum
each.

Twenty-fourth. I further will and direct that the trustees shall pay to my daughter Mary Hannah Packer, and to my sons Robert A. Packer and Harry E. Packer out of the income of my estate the sum of twenty thousand dollars per annum each for and during their lives respectively. This income shall be paid to them from the date of my death as they may require it to meet their current expenses and it shall be payable immediately.

Article 25.—
Trustees to pay
annually and
equally to
Mary Hannah
Packer, Robert
A. Packer, and
Harry E.
Packer, the in-
come of residue
of estate.

Twenty-fifth. I further will and direct that the trustees shall also pay and divide annually and equally among my said three children Mary Hannah Packer, Robert A. Packer and Harry E. Packer during their lives the income of the residue of my estate after providing for the specific legacies hereinbefore bequeathed.

Article 26.—
Power of said
children to dis-
pose by will of
one-half of
their incomes
from estate.

Twenty-sixth. I further will and direct that each of my said children shall have the power to dispose by will of the one-half part of the one-third of the income of the said residue for and during the period of time that the trusts of this will shall continue and the trustees shall pay the

several one-half parts of the one-third parts of said income of the residue at the times in the manner to the persons and for the purposes directed by said wills respectively.

Twenty-seventh. I also will and direct that each of my said children shall have the power to dispose by will of the one-half part of the one-third of the principal of said residue such wills to take effect as to the said one-half part of the one-third of said principal of said residue respectively upon the termination of the trusts under this will as hereafter provided and the trustees shall pay hand over and transfer and deliver the several one-half parts of the one-third parts of the principal of said residue as respectively bequeathed and devised to the persons in the manner and for the uses and purposes directed by the said wills of my said children.

Article 27.—
Power of children to dispose by will of one-half of their interests in residue of estate.

Twenty-eighth. I further will and direct that upon the death of any one or more of my said three children the trustees shall pay to the children of such decedent equally and annually the remaining half part of the income of the one-third of said residue during the time the trusts hereunder shall continue and upon the termination of the trusts the remaining half of each one-third of said principal of said residue shall be paid handed over, transferred and delivered to the children of such decedents respectively and in case of the death of any one or more of the children of such decedent, leaving issue surviving them the issue of such decedent shall stand in the place of and take the share the parent would have taken if living.

Article 28.—
Provision for grandchildren.

Twenty-ninth. In case of the death of any one or more of my children without disposing by will of the whole of the one-half of the income or principal or any portion thereof above authorized to be disposed of by will then such one-half of said income or principal or both so undisposed of shall go, descend and be disposed of by my trustees hereun-

Article 29.—
Disposition of income and principal of any child undisposed of by said child's will.

der, as is directed and provided in reference to the remaining one-half of said income and principal which such child or children are not authorized to dispose of by will.

Article 30.—
Disposition of
child's interest
in case said
child shall die
without issue
surviving him
or her.

Thirtieth. In case of the death of any one or more of my children without leaving children surviving them, the remaining one-half of the one-third of the income of said residue appropriated to such child or children shall be paid over to the surviving child or children annually during the lifetime of such survivor or survivors respectively and upon the death of such survivor or survivors to the children of such survivor or survivors during the continuance of these trusts and the principal shall in like manner be paid over, transferred and delivered to the same persons and in the same manner as is provided in reference to the remaining one-half of the one-third of the principal of such survivor or survivors. And these provisions shall also apply with full power and effect to any portions of the income or principal of said residue not disposed of by will by my said children as they are above authorized to do.

Article 31.—
Trusts to terminate twenty-one years after the death of the last survivor of said three children. Estate not then disposed of to be distributed among issue of children. Such issue to take *per stirpes*.

Thirty-first. The trusts under this will shall terminate twenty-one years after the death of the last survivor of my said three children. My purpose and will is that whatever property, assets or estate may then be in the hands of the trustees not otherwise disposed of by this will or undisposed of by the wills of my children made as above provided for, shall then be handed over, paid, transferred and delivered to my then living issue who may be descended from my said three children who shall take *per stirpes* the issue of each child taking only what the parent would have taken if living and the issue of each of my own children being considered a unit for the purpose of distribution. In case there should be no one descendant of my said three children then living, the property and estate then in

In event of failure of issue, then how to be divided.

the hands of the trustees undisposed of as above mentioned shall be divided into three parts and the one thereof shall go to the children of my daughter Lucy E. Lindeman, and their issue—one thereof to my nephews and nieces hereinbefore mentioned and the remaining part shall go to the Lehigh University and to St. Luke's Hospital at Bethlehem in the manner for the purposes and in the proportions in which and for which I have already provided in the legacies as to those institutions including the provision for the library.

In Witness Whereof I have hereunto set my hand and seal this fourteenth day of May in the year of our Lord one thousand eight hundred and seventy-five (1875)

ASA PACKER [SEAL]

Signed sealed, published and declared as and for his last will and testament by the testator in the presence of us who at his request in his presence and in the presence of each other have hereunto subscribed our names as witnesses in attestation thereof.

NOTE.—The word “annuity” on 7th page, and the word “south” having been interlined before signing, and the testator having signed his name at the foot of pages 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 15 of the said will in our presence and before the final execution hereof, the same being done as declared by him for the purpose of more perfect identification.

CHARLES S. CLARK
32 S. 3d St

JOSEPH N POPE
32 S. 3d St

SOMERS S. PEARSON,
32 So. 3d. St

CODICIL.

I, Asa Packer do make publish and declare this as and for a codicil to my last will and testament heretofore executed by me bearing date the fourteenth day of May A. D. 1875.

Article 1.—
Stock of the
L. V. R. R. Co.
at par to be
substituted for
money in fore-
going gifts and
bequests.

First. I will and direct that my executors and trustees in carrying out the bequests and directions of my said will shall in all cases in which I have given or bequeathed any sum or sums of money to legatees direct or to trustees for the use and benefit of either institutions or individuals substitute stock of the Lehigh Valley Railroad Company at par for the amounts named in the said will in dollars as the principal of such bequests or legacies that is the principal of all such bequests shall be and be taken and held to be stock of the said company equal at the par or nominal value thereof to the principal sum of the legacies or bequests as mentioned in the said will respectively.

Article 2.—
Article 1 not
to apply to cer-
tain legacies
and bequests.

Second. This change or modification shall not apply however to any legacies or bequests made to my wife Sarah M. Packer or to my daughter Mary Hannah Packer or my sons Robert A. Packer and Harry E. Packer nor shall they apply to any such bequests in the said will as are below the sum of ten thousand dollars (\$10,000) nor shall they apply to the bequests made by the 16th, 17th, and 18th, clauses of my said will.

Article 3.—
Where L. V.
R. R. stock is
bequeathed the
legatees shall
take only
actual income,
and principal
in said stock
at par.

Third. I further will and direct that in all of the cases in which by the said will and this codicil stock of the Lehigh Valley Railroad Company is bequeathed in the manner above mentioned the legatees under the said will shall only be entitled to the actual income derived from such stock when or as the same may be received or collected by the trustees and that where the principal would be payable according to my said will the trustees shall only be

obliged or bound to pay the same in the said stock at the par or nominal value thereof.

Fourth. As I have expended a considerable amount of money in the erection of the library building in the college grounds of the Lehigh University I will and direct that whatever sum or sums of money I may have paid or expended or may pay or expend during my lifetime in the erection of such buildings or for the purpose of purchasing books fitting up and furnishing said library shall be deducted from the principal sum of five hundred thousand dollars (\$500,000) bequeathed to the trustees of the Lehigh University by the 20th. article of said will and the balance only shall be the amount of the bequest or legacy given to the said trustees in accordance with the terms of the said 20th. article which sum shall be payable in stock of the Lehigh Valley Railroad Company at par as hereinbefore provided and in accordance with the provisions of my said will.

Article 4.—
Money expended in library during life-time of testator to be deducted from bequest of \$500,000.

Fifth. I further will and direct that in any and all cases in which by my said will I have made gifts and bequests to public institutions or to trustees for their benefit anything which I may have paid or given or may pay or advance on account of such bequests or legacies during my lifetime shall be deducted from the amounts respectively given or bequeathed to such institutions by my will. Any such gifts or advances made during my lifetime will be found set out in my books. This provision is made because I may prefer expending the money or making the gift or payment during my lifetime in whole or in part as I have done in the case of the library.

Article 5.—
General provision for deductions from bequests of the sums given by testator in his life-time.

Sixth. To avoid any possible misapprehension as to my purposes in the said will I now repeat that I wish my executors and trustees to retain and continue my investments in the stock and other securities of the Lehigh Valley Railroad Company and

Article 6.—
Desire for trustees of this will to continue the estate in L. V. R. R. Co. securities.

other companies connected with it during the continuance of the trusts under said will or for as long a period as in their discretion may be deemed best.

Ratification of
will, dated
May 14th,
1875.

Lastly. I hereby ratify and confirm my said last will and testament as heretofore executed by me on the 14th day of May A D. 1875 save and except as the same is changed or modified by this codicil.

In Witness Whereof I have hereunto set my hand and seal that is my hand to the bottom of the three preceding pages and my hand and seal to this last page this twenty-second day of May Anno Domini one thousand eight hundred and seventy-seven (1877)

ASA PACKER [SEAL]

Signed sealed published and declared by the said Asa Packer as and for a codicil to his last will and testament in the presence of us who in his presence and at his request and in presence of each other have subscribed our names as witnesses thereto.

J N. POPE

32 S 3d St

H GORDON McCOUCH

32 So 3d St

WILLIAM C. BULLITT

32 So. 3d St.

Will and Codicil duly probated, City and County of Philadelphia, Register's Office, May 26th, 1879.