

and demands, to any lands, estate or property in the State of Texas that I may have. Fourth, All the rest, residue and remainder of my estate, goods, debts and bequests to my brother, Richard K. Sanders, his heirs and assigns, in trust however to pay the whole net income to my children and upon their arriving at eighteen years of age to pay them one-third of the principal of my estate and upon their arriving at fifteen years of age another one-third of the principal of my estate and upon their arriving at twenty years of age to pay them the balance of my estate, my children's receipt although under age be full receipt to my trustee, or to their guardians, and direct if my estate should be in the hands of their Guardian that their Guardian shall pay over the principal of their estate the same way as have directed my trustee and also that their Guardian shall prior to that time spend the whole net income for the benefit of my children. Give my said trustee and his successors in the trust full power to bargain, grant, sell and convey for such price or prices as he may think proper without the purchase or purchases being in any way liable for the proper application of the purchase money, all my said estate and to sell and re-impart as often as he may think proper without confining himself to what are called legal investments and that my trustee executor and Guardian shall not be required to file any inventory, or make any report or file any account in the Orphan's Court but can render the same to the parties in interest.

In case of the death of my said brother, I appoint my niece Helen Livingston my trustee in his place.

Fifth, Whereas Mr. Charles Merchant, now deceased, was the maternal grandfather of my two children and in his will probated in Philadelphia on the 30th day of May, 1905, made provision for the education, support and maintenance of my said children from and out of the income of his estate and for that purpose directed his trustee, inter alia, in the words following, which I quote from his will.

(B) To pay over to my wife two-thirds of the said net income and to my daughter Estelle Merchant Evans (or) one-third of the said net income as long as both of them shall live -- my wife to receive out of her two-thirds of net income also said any such accounts as she shall consider proper for the maintenance of our grand children, children of my deceased son Henry W. Merchant and my deceased daughter Anita Watts Merchant Sanders.

(C) If my daughter, Estelle Merchant Evans shall survive my wife then after the death of my wife my trustee shall pay over to my daughter, Estelle Merchant Evans one-half of the said net income as long as she shall live from and out of which said one-half net income my said daughter shall to the extent of one-third of the said one-half provide for the education and support of the said children of my deceased son and deceased daughter until in the opinion of my said daughter, Estelle Merchant Evans and my said trustee Frederick W. Leonard more is needed for the support of the said children, where upon such additional sums as they may think proper shall be allowed to the said children from and out of the remaining half of net income but meanwhile the said remaining half of net income shall accumulate and be added to the principal of <sup>the said estate</sup> my estate.

(D) If my said daughter, Estelle Merchant Evans shall not survive my wife then so long as my wife shall live of the one-third of net income hereinbefore directed to be paid to the said Estelle Merchant Evans so much shall be added to the education and support of any child or children that she may leave by in the opinion of my wife and my said trustee, Frederick W. Leonard may be

necessary for that purpose, but meanwhile during the life of my wife the balance of the said one-third of net income shall accumulate and be added to the principal of my estate.

(E) In the absence of both my wife and my daughter, Estelle Merchant Evans, and until the expiration of twenty-one (21) years thereafter, the entire net income of said shall be divided among my grand children surviving at the several dates of payment and the issue thereof of my grand children then deceased, the issue of every deceased grand child to take only the share which such deceased grand child would have taken if living, but the division to be in other respects equal, provided that until they severally attain the age of twenty-five (25) years none of the beneficiaries under this clause shall receive more than my trustee shall deem necessary for their education and support but meanwhile the balance of the share of net income of each one of them shall accumulate and be paid over as each one shall severally attain the age of twenty-five years.

And whereas it is not my purpose by anything contained in this will, either to attempt to interfere with or influence the discretion of the said trustee or on the other hand to limit in any way the income which my said children may be entitled to receive from the estate of their said grandfather.

And whereas I have always considered it prudent and in fact necessary that the wife and living of money should be taught practically as part of one's education, and I therefore desire that my children should come as early as possible into the use of whatever income they are to inherit. Therefore hereby will and direct that the provisions herein made for and in favor of my said children shall be deemed to be in addition to and cumulative upon the provision made for their education, support and maintenance by their grandfather Merchant and shall never be deemed to be made by me for the education support and maintenance of my said children but as aultery income in addition to whatever they may by or become entitled to receive either as a matter of right or at the discretion of the trustee from the said estate.

And no such provision made by me shall be deemed to take the place of any income or provision for their education, support and maintenance to which they might otherwise be or become entitled under the will of their said grandfather. I hereby do appoint the Fidelity Trust Company of Philadelphia and my sister Henrietta W. Sanders, Guardians of my children, and upon her death I appoint my sister-in-law Estelle Merchant Evans, wife of Powell Evans Guardian of my children with the said Fidelity Trust Company.

Seventh, I direct that Mrs. Jennie Wilson shall have charge of my children. I direct that my children shall not live in the same house with other children if any difference or dispute should arise between my children's Guardians and Mrs. Wilson it is to be settled absolutely and finally by my niece, Mrs. Helen Livingston Scott. Mrs. Wilson is to be paid fifty dollars (\$50) a month for her right. I appoint my brother, Richard K. Sanders, executor of this my last will and testament. If he should die then I appoint my sister, Henrietta W. Sanders, executor of this my will.

Ninth, Any of my personal property that is not productive of interest, but is household goods, etc. can be given to my children at any time before they are eighteen years of age and my executor, trustee or Guardian are hereby fully released from accounting for same.

Witness my hand and seal this third day of January, 1907.  
Dallas Sanders Seal