

trustees thereof under my father's will they are not to receive a second commission on so much of the principal thereof as under this will goes into my estate and as will be disposed of under this will.

21. I hereby direct that my executors and trustees and the survivor of them in setting apart and investing funds to maintain any trusts provided for in my will shall do so with the investments which I shall have at the time of my decease unless otherwise provided in this will and shall not sell the same unless absolutely necessary or there be danger or depreciation in their judgment.

22. I direct that all of the devises and legacies which I have given or shall give by this will or any codicil thereto shall be payable free from all charges, deductions and taxes whatsoever including any collateral inheritance and succession taxes, all such charges deductions and taxes to be paid out of the residue of my estate.

23. Subject to the foregoing provisions I hereby give, devise and bequeath all the rest, residue and remainder of my estate, real, personal and mixed whatever and the estate left to my use by the will of my father Amos Ellis with power of appointment thereof to the Commonwealth Title Insurance and Trust Company and John H. Sloan and the survivor of them in trust for the purpose of establishing in the City and County of Philadelphia, Pennsylvania, or one of the Pennsylvania Counties of Delaware, Chester, Montgomery or Bucks, and in the latter event as near the Philadelphia County line as may be, with due regard to land

Chas. E. Ellis, prices, a school, for the purpose of educating and maintaining white fatherless girls who shall not be at the time of their admission to said school over thirteen years of age until they shall arrive at the age of seventeen years, under the condition that such school shall be non-sectarian and that the admission of students therein shall be limited to white girls who at the time of their admission are bona fide residents of the City and County of Philadelphia or of the particular County of those above named in which the said institution or school shall be located. And I direct that the said trustees and the survivor of them shall appoint a Board of Educators composed of the Superintendent of the Public Schools of the City of Philadelphia, three principals of public schools in the City of Philadelphia and the Superintendent of the public schools of the other county in which said institution shall be located, if beyond the City and County of Philadelphia, from time to time, or if any of them should decline or not serve, then in the place of such declining and not serving some other competent educator or educators to the same number from time to time) with power in said trustees and the survivor of them from time to time of substitution and removal in said board) who or a majority of whom shall be authorized to formulate, establish and change from time to time such rules of admission and conduct of the said institution as may be required for the proper government and maintenance thereof and for the admission of students thereto and to act as visitors thereto, subject to the approval of the said trustees and the survivor. And I hereby authorize the said trustees and the survivor to purchase in the first place, out of the income of my estate which shall not be required to make the payments hereinabove provided for, and when the same shall accumulate to the sum of one hundred thousand dollars (\$100,000) such real estate as shall be necessary

Chas. E. Ellis for the purpose of establishing said institution in trust for the purpose of carrying out this purpose and thereafter out of the residue of my estate and that coming from my father or so much thereof as may be necessary from time to time to erect such improvements thereon as may be necessary for the purpose of carrying out the same and properly furnish and equip the same thereout or out of income. My intention being to provide free education and maintenance for white fatherless girls and to provide a gift to each girl on leaving the institution and upon reaching her seventeenth year if her conduct has been satisfactory to the principal of fifty dollars which I hereby authorize. I enjoin upon the said trustees and the survivor that the expenditure for maintenance shall at no time exceed the amount of the income applicable to this purpose; also that so much as is not needed to purchase a location and to maintain said institution as possible shall be invested from time to time and added to capital to enlarge the capital of the fund and thereby to enlarge said institution from time to time and increase its usefulness in the discretion of said trustees and the survivor of them. And I declare that this institution shall be purely a public charity and that no one except the officers and employees thereof, and the said trustees as such shall receive any compensation whatever for their services over expenses (the necessary expenses of said board of educators included) and the institution shall not be begun until at least the said accrued income of one hundred thousand dollars as above provided shall become available for the purpose of purchasing the necessary location. The said school or institution shall be known as the "Charles E. Ellis College for the education of fatherless girls" and though the same shall

Chas. E. Ellis conducted upon non-sectarian principles I direct that the reading and study of the King James First English Bible or any revision which may take its place, and brief lectures thereon by officers or teachers shall be part of the daily instruction in the said institution in all classes.

24. I direct that the compensation of said executors and trustees and the survivor of them shall be by commissions not exceeding three per cent.

25. I direct that should any legacy, devise or benefit under my will and codicils lapse or not be accepted or be revoked in accordance with any provision relating thereto or by failure of or non-compliance with any condition or provision thereof in relation to such legacy, devise or benefit, or fail in any other manner (including the provision for the benefit of my daughter Ella S. Staley) that then the said legacy or benefit and the capital thereof shall unless otherwise specifically provided for in relation thereto go to and form a part of the residuary estate devised and bequeathed to trustees for the purpose of establishing and maintaining the "Charles E. Ellis College for the education of fatherless girls" and in such event or events I give devise and bequeath the same to the trustees of said residuary estate as hereinabove provided.

26. I hereby authorize my executors and trustees and the survivor of them to sell any of my real estate not herein specifically devised at public or private sale for such price as to them may seem expedient and to make the necessary conveyance and deeds therefor without any liability on the part of any purchaser to see to the application of the purchase money.

27. I hereby appoint John H. Sloan and the Commonwealth Title and Trust Company, Chas. E. Ellis

as executors of this my will. In witness whereof I have hereunto set my hand and seal and also identified by my signature thereon the remaining ten sheets of this instrument this sixteenth day of March in the year of our Lord one thousand nine hundred and five (1905).

Chas. E. Ellis (Seal)

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

Fred L. Breitingger  
J. Louis Breitingger Chas. F. Linde.

I, Charles E. Ellis of the City of Philadelphia, do hereby make, publish and declare this to be a general codicil to my will dated the Sixteenth day of March A. D. 1905.

First. I direct that no inventory and appraisement of any articles/personal property in my residence No. 1430 North Broad Street, Philadelphia, or in my Atlantic City summer residence No. 135 South North Carolina Avenue, which latter property I have by my will given to my wife, Annie E. Ellis, absolutely, shall be taken or made; therefore my Executors as such shall not enter upon my Broad Street premises until they shall be notified by my wife in writing that she has relinquished the same as her residence as mentioned in my will and given up such personal property therein to my residuary estate as she may not, desire to keep, if any.

Second. I amend paragraph twenty-four of my said will by directing that the compensation of said Executors and Trustees shall be by commission not exceeding two per cent, on principal and three per cent on income, but should there be in course of carrying out the provisions of said will at any time, any additional labor or responsibility imposed upon them, then I direct that they may be allowed therefor such additional compensation as may be approved by the Orphans' Court of Philadelphia County.

Third: In selecting the site for the college, I desire preference shall be given to the County of Philadelphia in a suitable location convenient of access and near a trolley or steam road. Should the Trustees deem it most advantageous to go beyond the lines of said County, then they may do so having regard to convenience of access and securing ground which will not be too much intersected by highways.

In the selection of the students from Philadelphia County to be educated therein a bona fide residence for such period as the Trustees may determine by the regulations of said College shall be sufficient qualification for admission, but it is my wish that preference shall be given to applicants who were born in said County. Believing that for a long period applicants from the County of Philadelphia will provide for the full capacity of the College, it is my wish that no student shall be admitted from the other Counties named in my will until in the opinion of the Trustees or the survivor of them, vacancies can be supplied from the said Counties. The admission of students from said Counties shall be made under regulations prescribed by the Trustees, preference being given to applicants from the County where the College is located, if the site selected should not be in Philadelphia County.

Fourth: I hereby revoke the fifth paragraph of my said will which provides for the selection of a burial lot in West Laurel Hill Cemetery in Montgomery County and the erection of a vault for my burial and the burial of my wife. I do this because I have recently purchased a burial lot in said Cemetery, made to my wife, which will take the place of that provided for in the fifth paragraph. I further direct that should I not in my lifetime build a mausoleum on said burial lot, that my executors shall provide a sum not less than Ten thousand dollars which shall be appropriated under the control and with the consent of my wife in the erection of such a mausoleum as she may direct.

Fifth: The stocks and other investments which I now own have been carefully selected by me and I have faith and confidence in the future value thereof, I do not wish such of them as I may own at the time of my death to be needlessly or hastily converted and I authorize my executors and Trustees to retain the same so long as they may deem it wise so to do without any liability on their part for any diminution in the value thereof. I would prefer that any investments of income to be added to the principal or capital of my estate and any reinvestment of securities held at the time of my death, may be sold, should be in legal securities, but I do not wish to confine my Executors and Trustees to such securities and give them the discretion to make such investments in real and personal securities as they may deem safe without incurring any liability for the exercise in good faith of this discretion.

Sixth: It is my intention by the directions given in my will to vest in the Trustees full power, authority and discretion in the management and government of the College therein provided for. All acts and regulations which may be needful to carry out the purpose of such an institution I leave entirely to their discretion, subject only to such directions as I have given in my said will.

The Board of Educators to be appointed by the Trustees shall in all things act in cooperation with and subject to the approval of the said Trustees. It may be deemed expedient by my Trustees to select a Woman's Board or Committee to act in conjunction with the Board of Educators in visiting the college and making recommendations which may promote the comfort of the students and the usefulness of the College, and I hereby vest such power in the said Trustees and also the power to name other Boards or Committees which they may deem necessary from time to time to aid in more effectively carrying out the charitable purposes intended by me.

Seventh I do not wish any inventory and appraisement of my personal estate to be filed. I direct that three copies thereof shall be signed and sworn to by the appraisers and kept by the Executors and Trustees for their use and the use of any one interested in my estate.

Eighth: I nominate, constitute and appoint Franklin L. Lyle of the City of Philadelphia, Attorney-at-law one of the Executors and Trustees under my said will and testament in addition to those already named, with the same power and effect as though he had been named in said will.

This codicil I have called a general codicil to my will dated the sixteenth day of March 1905 as it is intended to supercede codicils made thereto dated November Twenty ninth, 1905, December tenth, 1907 June thirteenth 1908 and December twenty fourth, 1908.

In Witness Whereof I, Charles E. Ellis, the above named testator have to this a codicil to my last will and testament, contained on four half sheets of paper, the first three being identified by my signature in the margin thereof, and to this the last half sheet, I have subscribed my name and affixed my seal this twenty-eighth day of January A. D. One thousand nine hundred and nine (1909).