

Charles K. Smith, Jr.

Charles K. Smith, Jr.

In order and direct that all of the above legacies shall be paid in full and that the collateral inheritance tax thereon shall be paid out of my estate.

ITEM XVI: I give and bequeath unto my son, Charles K. Smith, Jr., my gold watch and chain and all my jewelry, and I also give and bequeath unto him absolutely and in fee the sum of One Hundred thousand dollars (\$100,000).

ITEM XVII: It is my will and desire that my securities shall not be sold upon a depressed market for the purpose of pay^{ing} the legacies above mentioned and I hereby order and direct that my said Executors shall not be required to pay said legacies until two years after the date of my decease, but that they may pay them at any time within that period when they can do so advantageously.

ITEM XVIII: It is my will and desire that the oil business now conducted under the firm name of Charles K. Smith & Company shall continue to be conducted and carried on by my son, Charles K. Smith, Jr., and Alfred F. Bracher, my present partners in said business, so long as they, in their judgment, shall deem it advisable to do so and until such time as a fair sale can be made of the oil refining machinery and real estate connected therewith together with the oil wagons used in said business, including the sale of the oil routes, the proceeds arising from said sale, when made, to be treated as and become a part of my residuary estate; and I direct that so long as said business shall be carried on as aforesaid, the said Charles K. Smith, Jr., and Alfred F. Bracher shall pay to my estate the sum of Six Thousand Dollars (\$6,000) annually for rental, depreciation etc., and that the remainder of the net profits shall be equally divided between the said Charles K. Smith, Jr., and Alfred F. Bracher.

ITEM XIX: I do hereby give, devise and bequeath unto my son Charles K. Smith, Jr., and unto my partner Alfred F. Bracher, absolutely in equal shares, my entire interest in the jobbing oil business, now conducted under the said firm name, at 123 Arch Street, in the City of Philadelphia, including the use of the capital which ~~was~~ I may have invested therein, on which capital they are to pay five per cent. interest to my estate, stock and book accounts at the time of my decease, so that said jobbing business, shall continue to be conducted by my said son, Charles K. Smith, Jr., and Alfred F. Bracher, so long as they may desire to do so. It is my will and desire that this bequest shall be absolute, they to have and hold and enjoy the same as they may see fit in equal shares or parts.

ITEM XX: I desire hereby to call attention to the fact that I have, by an antenuptial agreement, bearing date the 26th day of August A.D. 1913, made provision ^{for} of my wife, who in and by the said agreement has waived and released all further claims against my estate, so that she same shall and may be disposed of as is hereinafter provided.

ITEM XXI: I do hereby request the Board of Directors of Amparo Mining Company to elect my son, Charles K. Smith, Jr., to be my successor as President of the said Company, and I do hereby authorize, direct and empower my said Executors, and Trustees to vote upon the shares of stock in Amparo Mining Company held by me, at all meetings and elections of the said Company.

ITEM XXII: I give and bequeath unto my executors and trustees, hereinafter named, and the survivor and survivors of them, their heirs, successors and assigns, Two Hundred and fifty thousand (\$250,000) shares of the capital stock of the Amparo Mining Company, and the proceeds derived from the sale of the whole or any part thereof, if in the judgment of my Executors and Trustees it may seem wise and desirable to make such sale or sales, IN TRUST; nevertheless, to collect the income, dividends and profits arising therefrom, and after returning to my estate so much of the amount expended by me for all of the stock of said Company which I own and for money loaned to said Company as shall remain unpaid by the receipt of dividends by me on all said stock or otherwise, as shown by my books at the time of my decease then to pay over from time to time the net income to my son,

Charles K. Smith, Jr.

Charles K. Smith, Jr.

Charles K. Smith, Jr., for and during the term of his natural life, with remainder to his lawful issue, if any, in fee simple; and in case he shall die without leaving lawful issue to survive him, then to hold the principal in trust and pay over said net income unto "The Trustees of the General Assembly of the Presbyterian Church in the United States of America", as corporation duly created under the laws of the State of Pennsylvania, said Trust to be known and designated as a Trust established by Charles K. Smith, of Philadelphia the income from which trust fund said corporation shall when and as received, divide distribute and payover as follows:

To the Board of the Church Election Fund of the General Assembly of the Presbyterian Church in the United State of America, forty-five per cent. thereof; To the Board of Home Missions of the Presbyterian Church in the United States of America, incorporated April 19th, 1872 by Act of the Legislature of the State of New York, forty five per cent. thereof; To the Board of Education of the Presbyterian Church in the United States of America, ten per cent. thereof, to be used for the purchase and distribution of Bibles, tracts, hymn books, and for the purchase in whole or in part of libraries for missionaries.

It is my intention and desire that the mission churches and schools established as hereinabove provided for shall be known and designated as "The Charles K. Smith Chain of Mission, Churches and Schools" and that preference shall be given in the use of said income by said organization to the United State of America and the colonial possessions thereof, and to the Republic of Mexico, if in the judgment of the Trustees of the General Assembly it is desirable to do so.

It is my further will and desire that a Protestant chapel or place of religious worship shall be erected at or near the camp of the Amparo Mining Company, if, in the judgment of the Board of Directors of said Company, ~~if in the judgment of the Board of Directors of said Company,~~ it shall be found feasible and desirable to do so. I do hereby authorize, direct and empower my said Executors and Trustees to do and perform any act and to make any payment and to make and prescribe any terms or conditions which in their judgment may at any time be necessary or desirable for the proper carrying out of the administration of the trusts provided for in this my said Will.

I do further release my said Executors and Trustees from the necessity of making investments in what are strictly known as Trustees' Securities under the laws of Pennsylvania and I do hereby confer full authority and power upon my said Executors and Trustees to make investments according to their best judgment in any sound and seasoned income-earning securities.

ITEM XXIII: ALL the rest, residue and remainder of my estate, real, personal and mixed, of whatsoever kind and wheresoever situate, I give, devise and bequeath unto my Executors and Trustees hereinafter named and the survivor and survivors of them, their heirs, executors, successors and assigns, IN TRUST; nevertheless to pay the net income unto my said son, Charles K. Smith, Jr., for and during the term of his natural life, with remainder to his lawful issue, if any, in fee simple; and in case he shall die without leaving lawful issue to survive him, then IN TRUST, nevertheless, to permit and allow my son, Charles K. Smith, Jr., and my present wife, Elizabeth Gertrude Hope Smith, to use the same as a home for both during their lives or the lifetime of the survivor, to occupy for and during the full term of his natural life, the house and premises which I now occupy, known and numbered as Ninety-two hundred and one (9201) Germantown Avenue, Chestnut Hill, Philadelphia, Pa. together with the appurtenances thereunto belonging, and to have the use of all my horses and carriages, automobiles, paintings, bric-a-brac, household goods and furniture of every kind and description whatsoever; and I hereby authorize and direct my executors to pay out of my estate the taxes and water rent upon said premises, and to make necessary repairs thereto, and to pay the insurance upon said premises and the household goods, paintings, and furniture therein contained and upon further trust to invest and keep safely invested the residue of my personal