

law in fee simple or otherwise to the person or persons, purchaser or purchasers entitled to receive the same without liability on the part of the said person or persons purchaser or purchasers to see to the application of the said person or persons purchaser or purchasers to see to the application of the purchase or extinction moneys, and provided further that all investments made by my said trustee shall be on the same trusts for the same uses and purposes and with the same powers and authorities as are hereinbefore set forth and declared and to and for no other use, intent or purpose whatsoever.

Item: In the event of the decease of either my son, Richard Y. Filbert or my son-in-law Horatio N. Day, the survivor of them shall become trustee with the said Real Estate title Insurance and Trust Company of Philadelphia in both the foregoing trusts for my said son and daughter with the same force, effect and powers as though originally appointed.

Item: I give and bequeath unto my grandson, Ludwig Spang Filbert the sum of Fifteen Thousand dollars to be paid to him when he arrives at the age of twenty one years. I also give and bequeath unto my said grandson, Ludwig Spang Filbert, my watch and such other jewelry as I may possess at the time of my decease and also all furniture, pictures art objects and appointments in the room known as my Chamber in the Mansion House of my property known as Hilton Farm lying North of Veree Road for his own absolute use and I direct that no inventory be made thereof.

Item: I give and bequeath unto my granddaughter De Ronde Filbert the sum of five thousand dollars, to be paid to her when she arrives at the age of twenty years.

Item I give and Bequeath unto my brother, Samuel Filbert John G. Filbert and Isaac S. Filbert and my sister, Catherine Murphy, the sum of one thousand dollars, each without deduction for Collateral Inheritance Tax, for the absolute use of each.

Item: I give and bequeath to the said Real estate Title Insurance and Trust Company of Philadelphia the sum of Five thousand dollars without deduction for Collateral Inheritance Tax, in Trust to invest the same and pay the net income thereof unto my niece, Emily Galbraith daughter of my sister Mary, for and during the term of her natural life; and from and after her decease to pay the principal thereof to such children as she may leave surviving her or the issue of any deceased child, such issue of any deceased child taking the share of his or her deceased parent in equal parts and shares. And in the event of the said Emily Galbraith dying without leaving any child or children or child or children of any deceased child, then I direct that the said sum of Five thousand dollars shall pass to and become part of my residuary estate.

Item: I give and bequeath to the said Real estate Title Insurance and Trust Company of Philadelphia the sum of Five thousand dollars without deduction for Collateral Inheritance Tax, in Trust to invest the same and pay the net income thereof unto my niece Annie Galbraith daughter of my sister Mary, for and during the term of her natural life and from and after her decease to pay the principal thereof to such children as she may leave surviving her or the issue of any deceased child, such issue of any deceased child taking the share of his or her deceased parent in equal parts and shares. And in the event of the said Annie Galbraith dying without leaving any child or children or child or children of any deceased child then I direct that the said sum of Five Thousand dollars shall pass to and become part of my residuary estate. I authorize <sup>the</sup> trusts of the trusts for Sarah Trexler, Emily Galbraith and Annie Galbraith to invest said three sums of Five thousand dollars each in good ground rents or first mortgages, or in other personal security as it in its discretion shall deem best for the interests of the said trust and in making such investments it shall not be confined to what are known as "legal investments" but shall use its best judgment and discretion for the exercise of which my said trustee shall be free from liability.

Item: I give and bequeath the sum of One Thousand Dollars unto the old Woman's Methodist Home, situate at Belmont Avenue and Fairmount Park.

Item: I give and bequeath the sum of One thousand Dollars unto the Methodist Episcopal Orphanage situate on Monument Avenue near Belmont Avenue.

Item: I give and bequeath the sum of One Thousand Dollars unto the Home of Aged and Infirm Colored persons situate at Belmont and Girard Avenues.

Item: All the rest, residue and remainder of my estate real, personal and mixed, whatsoever and wheresoever, of which I may die seized possessed or entitled to, I give, devise, and bequeath as follows: One full equal undivided third part thereof, unto my beloved wife, the said Annie C. Filbert, to hold the same to her, her heirs, executors, administrators and assigns absolutely forever.

One other full equal undivided third part thereof unto my son, the said Richard Y. Filbert, to hold the same to him, his heirs, executors, administrators and assigns absolutely forever.

And the remaining full equal undivided third part thereof unto my daughter, the said Laura C. Day, to hold the same to her, her heirs, executors, administrators and assigns absolutely forever.

Item: In the foregoing division of the said rest, residue and remainder of my estate it is my mind and will and I do direct that my son, the said Richard Y. Filbert shall have the privilege within one year after my decease to select and take as a portion of his share of my residuary estate that portion of my property known as "Hilton Farm" lying north of Veree Road, together with all stock and implements thereon. The valuation of said real and personal estate for the purpose of the said division shall be Sixty Five thousand Dollars, and if selected by the said Richard Y. Filbert he shall take the same as part of his share at that valuation. And that my said daughter the said Laura C. Day, shall have the like privilege within one year after my decease to select and take as part of her share of my said residuary estate that portion of my property known as the "Hilton Farm" lying south of Veree Road and also that part thereof bought from John Griffith together with all stock and implements thereon without any inventory being made thereof. The valuation of said real and personal estate for the purpose of the said division shall be fifteen thousand dollars and if selected by the said Laura C. Day she shall take the same as part of her share at that valuation.

In case my said daughter Laura C. Day, does not desire said real and personal estate as part of her share of my said residuary estate then my said son Richard Y. Filbert shall have the privilege to select the same as a portion of his share of my said residuary estate at this valuation of Fifteen Thousand Dollars.

Item: I hereby authorize and empower my executors hereinafter named and the survivor of them, for the purpose of paying my debts, settling and dividing my estate or for such other purpose as my said executors shall deem expedient, to sell and dispose of absolutely and in fee simple, or for any less estate, all or any part of my real and personal estate of which I may die seized, possessed or entitled to either at public or private sale for cash or upon credit, and to make, execute and deliver to the purchaser or purchasers

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thereof proper deeds of conveyance without any liability on the part of the purchaser or purchasers thereof to see to the application of the purchase money and to hold and dispose of the proceeds of such sale according to the uses and purposes of this my will.

Lastly I hereby nominate, constitute and appoint my said wife, Annie C. Filbert, my son Richard Y. Filbert, my daughter, Laura C. Day and my son-in-law Horatio N. Day, executors of this my last will and testament hereby revoking and making void any and all wills and testaments by me at any time heretofore made. And it is my desire and I hereby direct and request that my said executors shall at no time be required to give security in any proceeding or matter whatever touching the administering, settlement sale or division of my said estate, or any part thereof. In Witness Whereof, I the said Ludwig S. Filbert have hereunto set my hand and seal the seventeenth day of July in the year of our Lord one thousand nine hundred and two (1902).

Signed, sealed, published and declared by the above named testator as and for his last will and testament 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.

L. S. Filbert (seal)  
Joseph L. Caven  
Emil Rosenberger.

CITY AND COUNTY OF PHILADELPHIA, ss.  
Register's Office, October 28<sup>th</sup>, 1903  
Then personally appeared Jos L. Caven one of the subscribing witnesses to the last will (dated July 17<sup>th</sup> 1902) of L. S. Filbert deceased, and on his solemn oath did say that he was present together with Emil Rosenberger the other subscribing witness and did see and hear L. S. Filbert deceased, the testator therein named sign seal, publish and declare the same as and for his last will and testament and that at the doing thereof he was of sound disposing mind, memory and understanding, to the best of his knowledge and belief. And further, that the said Testator so signed the ~~will~~ <sup>same</sup> in his presence, and at his request he the said deponents in his presence and in the presence of Emil Rosenberger the other subscribing witness subscribed their own proper signatures and handwriting as witnesses thereto, all being present at the same time. *at the execution of said will.*

Sworn and subscribed before me, the  
date above.  
Chas. Irwin, Deputy Register.      Jos L. Caven

CITY AND COUNTY OF PHILADELPHIA, ss.  
REGISTER'S OFFICE OCTOBER 28, 1903  
Then personally appeared Thomas W. <sup>Jopson</sup> ~~Jopson~~ who being duly sworn according to law, say that he is well acquainted with Emil Rosenberger one of the subscribing witnesses to the foregoing last will (dated July 17 1902) of L. S. Filbert deceased and is familiar with his signature having frequently seen him write his name as well as other matters; that he has carefully examined the foregoing signature Emil Rosenberger to said will and verily believe it to be in his own proper handwriting The said Emil Rosenberger is now somewhere in California.

Sworn and subscribed before me  
the above date.      Thomas W. Jopson.  
Chas Irwin, Deputy Register.

City and County of Philadelphia, ss.  
Register's Office, October 28<sup>th</sup> 1903  
We do swear that as the Executors of the foregoing last will and Testament of L. S. Filbert deceased, We will well and truly administer the goods and chattels, rights and credits of said deceased, according to law, and that we will diligently and faithfully regard and well and truly comply with the provisions of the law relating to collateral inheritances That the said Testator died on the 19 day of October, A.D. 1903 at 9.20 o'clock P.M.

Sworn and subscribed before me, the date above  
and letters testamentary granted unto them  
Chas Irwin, Deputy Register.      Annie C. Filbert  
I 12.      Richard Y. Filbert  
1811 Spring Garden St.  
Laura C. Day,  
1733 Spring Garden St.  
Horatio N. Day.