

living at the said time of distribution, then to transfer, assign and pay over the principal of my residuary estate to and among such charitable institutions and in such proportions as to my surviving Trustee hereinafter named shall seem best.

As to the income payable to my sons William Wagner and Oscar Wagner, I direct that my said Trustees shall pay all or any part of the said income as shall be directed by my son Louis Wagner, Jr., either to the said William Wagner and Oscar Wagner, or for their maintenance and support by the payment of bills therefor; and if my said son Louis Wagner, Jr., should die before either the said William Wagner or Oscar Wagner, I direct that my surviving Trustee shall distribute the income payable to the said William Wagner and Oscar Wagner in such manner as to it shall seem best.

FOURTH: As to any action which may be necessary with regard to the stock and bonds of the United States Steel Corporation and the stock and bonds of the Missouri Pacific Railway Company belonging to my estate, I direct that my said Executors and Trustees hereinafter named shall be guided by the advice of my said son Louis Wagner, Jr., during his lifetime. After his decease Fidelity Trust Company shall have full power to deal with said stocks and bonds as if said Company were the absolute owner thereof.

FIFTH: I authorize and empower my Executors and Trustees herein named, and the survivor of them, either to hold any of the investments of which I may die possessed, or in their discretion to sell the same and reinvest the proceeds thereof, or any other funds coming into their hands as such Executors and Trustees in such securities as to them shall seem best, without being limited to such as are usually termed "legal securities."

SIXTH: For the payment of my debts, or the administration of my estate, or for the distribution thereof, or for any other purpose, I authorize and empower my Executors and Trustees, and the survivor of them, to sell any and all the property, real and personal, belonging to my said estate, (subject to the right of my wife Caroline Wagner to use my house, number 233 Metropolitan Avenue, Atlantic City, New Jersey, and the furniture therein contained) either at public or private sale, at such time or times, for such price, upon such terms as to cash and credit, as they may think best, and to execute and deliver to the purchaser 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 of the purchase money.

SEVENTH: I direct that the principal or corpus of my estate and the income therefrom, so long as the same are held by my Executors, or by my Trustees, or the survivor of them, shall be free from the control, debts, liabilities and engagements of legatees, or of any one beneficially interested therein, and shall not be subject to assignment by them, nor to execution nor process for the enforcement of judgments or claims of any sort against them. I further direct that all payments of income under any of the provisions of my will shall be made only as the same accrues and not by way of anticipation.

EIGHTH: I nominate, constitute and appoint my said son, LOUIS WAGNER, JR., and FIDELITY TRUST COMPANY of Philadelphia, to be the Executors of and Trustees under this my last Will and Testament, my said son Louis Wagner, Jr., to act as such Executor and Trustee without suspension therefor.

IN WITNESS WHEREOF I have hereunto set my hand and seal this First day of

*Louis Wagner*

*Louis Wagner*

September, A. D. One thousand nine hundred and fifteen (1915).

Signed, Sealed, Published and Declared )  
by the above named testator as and for )  
his last Will and Testament in our presence )  
who, at his request, in his presence and in )  
the presence of each other, have, at the )  
same time, subscribed our names hereto as )  
Witnesses )  
Louis Wagner (SEAL)  
Justus Siebert Jr.  
Helen Butterhof  
John Mills

State of New Jersey)  
ss  
County of Atlantic )

Justus Siebert, Jr., one of the witnesses to the within will, being duly sworn according to law deposes and says that he saw the testator therein named, sign and seal the same, and heard him publish, pronounce and declare the within writing to be his last will and testament, and that at the time of the doing thereof, the said testator was of sound and disposing mind, memory and understanding, so far as he knows and as he verily believes and that John Mills and Helen Butterhof, the other subscribing witnesses were present at the same time and signed their names as witnesses to the said will, together with this deponent in the presence of the said testator and at his request and in the presence of each other, all being present at the same time.

Sworn and subscribed at Atlantic )  
City, County and State aforesaid, ) Justus Siebert, Jr.  
the third day of December, A. D. )  
1915, before me

Albert C. Abbott,  
Surrogate.

State of New Jersey)  
ss  
County of Atlantic )

John Mills, one of the witnesses to the within will, being duly sworn according to law deposes and says that he saw the testator therein named, sign and seal the same, and heard him publish, pronounce and declare the within writing to be his last will and testament, and that at the time of the doing thereof, the said testator was of sound and disposing mind, memory and understanding, so far as he knows and as he verily believes and that Justus Siebert Jr. and Helen Butterhof, the other subscribing witnesses were present at the same time and signed their names as witnesses to the said will, together with this deponent in the presence of the said testator and at his request and in the presence of each other, all being present at the same time.

Sworn and subscribed at Atlantic )  
City, County and State aforesaid, ) John Mills  
the third day of December, A. D. )  
1915, before me

Albert C. Abbott,  
Surrogate.