

I, AMADEUS G. LANGENBERGER, also known as A. G. LANGENBERGER, a resident of the City of Los Angeles, State of California, being of sound and disposing mind and memory, and not acting under duress, menace, fraud or undue influence of any person or persons whatsoever, do hereby make, publish and declare this to be my Last Will and Testament in manner and form as follows, to wit:

I.

I hereby revoke and annul all other Wills or Codicils by me made. There are Wills, which I have heretofore prepared, still in actual physical existence, and undestroyed. I solemnly declare, however, that I hereby revoke all Wills and Codicils heretofore by me made, and declare this to be my Last Will and Testament.

I hereby declare that I am a resident of the City of Los Angeles, State of California, and intend to make said City my legal residence as long as I shall live.

II.

I hereby specifically affirm that I am an unmarried man, and have never been married, and that I have no child, children or grandchild or grandchildren whatsoever, but if any person or persons should at any time claim me as a parent or grandparent, I then give and bequeath to such person or persons, collectively, the sum of One Dollar (\$1.00) and no more.

III.

I direct that upon my death, my body be cremated and that the remains be placed in a crypt or other suitable depository and that it be placed in an aperture in the floor under the statue of the Lamb in the Langenberger Family Mausoleum located in the Anaheim Cemetary in Anaheim, California. I direct that the funeral arrange-

ments be simple, without pomp or flowers, and carried out by my Executor and my attorney, Franklin B. MacCarthy.

I direct that said mausoleum be painted, renovated and repaired to the extent that such may be required to restore its appearance and to place it in good condition. My Executor is authorized to expend such sum as may be reasonably necessary to accomplish the foregoing.

IV.

I direct my Executor to pay all my just debts and funeral expenses as soon as convenient after my death. I further direct that all real and personal property taxes and all State inheritance and Federal Estate taxes be paid out of the residue of my estate.

V.

I declare that all property, in which, at date hereof, I have any interest, is my sole and separate property and it is my intention hereby to dispose of all property, real, personal, and mixed, wherever situated, which I am entitled to dispose of by Will.

VI.

I give, devise and bequeath the following property or sums of money, to the following persons, upon the following conditions:

- (a) In the event, and only upon the condition that they are in my employ at the time of my death, I give and bequeath,
To my housekeeper, EDITH CHRISTINE LINDROTH, the sum of Five Thousand Dollars (\$5,000.00) and one black silk kimona; and
To my gardner, CANDIDO ARMENTIA, the sum of Five Hundred Dollars (\$500.00) and my Chevrolet automobile.
- (b) To FRANKLIN B. MacCARTHY, for his many past services, and to CARLYLE F. LYNTON, who prompted the investment, in equal shares to each, all of my Republic Natural Gas (Common) stock.

- (c) To my nephew, ARTHUR TURCK, of 623 North Serrano Avenue, Los Angeles, California,
1. My horseshoe cravat pin set with sapphires and diamonds;
 2. My platinum cuff links set with sapphires;
 3. My Oldsmobile hydromatic eight-cylinder automobile.
 4. All my bed linens.
 5. The Sum of Five Thousand Dollars (\$5,000.00) in appreciation of his kindness and his many personal services rendered to me throughout the years.
- (d) To my niece, MISS ELIZABETH SCHUBERT, of 6712 West Sunset Boulevard, Los Angeles, California, all of my hand painted dinner service and place plates painted by her; also my gold lozenge box set with sapphires and one black silk kimona.
- (e) To my sister, MRS. FRANK E. AIKEN, of 390 West End Avenue, New York City, New York, the two Oil Portraits of my Mother and my Chinese (Antique) malachite necklace. I am making no further bequest to my dear sister for whom I have always had the highest regard, and a deep and abiding affection, solely because I know that she has ample means and has otherwise been substantially provided for.
- (f) To my grandniece, CARMELIA RUGGIER CLEVE, my Bechstein Parlor Grand Piano.
- (g) To my grandniece, GWENDOLYN RUGGIER CLEVE BLOOMER, my Victrola and all playing records.
- (h) To my grandnephew, CHARLES RUGGIER CLEVE, my diamond and emerald necktie pin; my solid gold cuff links, French Manufacture; my Patek Phillipe White Gold and Copper Gold watch and platinum watch chain; my Gorham Tea Service consisting of a Coffee pot, a teapot, a sugar bowl and a cream pitcher, which service is stamped with the initials G.M.C. on its reverse side; and my solid silver luncheon set, consisting of the following:
- | | |
|------------------|-------------------------|
| 6 Salad Forks | 6 Lunch Forks |
| 6 Lunch Knives | 6 Bread & Butter Knives |
| 6 Fruit Spoons | 6 Bouillon Spoons |
| 8 Teaspoons | 2 Dinner Spoons |
| 2 Serving Spoons | 1 Serving Fork |
| 1 Gravy Ladle. | |

- (i) To my good friend, GERALD C. HALSEY, my landscape painting (ruins of a castle) by George Innes.
- (j) To my friends FRANKLIN and LILLIAN MacCARTHY, I give the oil painting of the "Madonna of the Chair", the original of which is by Raphael.
- (k) To FRANKLIN MacCARTHY, as a personal keepsake that I know he will enjoy my Mexican solid Gold coin money clip; and my desk that is situated in my library.
- (l) To ALMA CARLISLE of 2455 Leavenworth Street, San Francisco, California, my antique Jade ring (Chinese).
- (m) To CHESTER J. deYOUNG my entire stock of liquor and all other alcoholic beverages and all of my bar glasses.
- (n) To MRS. CHESTER deYOUNG my large silver tray, about 16 inches in diameter with Fleur de lis design, and my solid silver tray, Iris design, about 14 inches in diameter.
- (o) To MRS ARTHUR TURCK, my solid silver fancy egg tray bearing a design of the Lillies of the Valley.
- (p) To RAHEL C. de BETTENCOURT of Sausalito, California, my Chinese gold ring set with green jade.
- (q) I direct that my wearing apparel, consisting of suits, shoes, stockings, shirts, overcoats, neckties, underwear, hats, and relating items be divided by my executor among the following named persons in its discretion and in such fashion as is best suited to each persons needs. The said persons are as follows:
 - 1. Arthur Turck (my nephew).
 - 2. Rafel de Bettencourt (my friend).
 - 3. Dr. Irving Marvin (my friend).
 - 4. Charles Ruggier Cleve (my grandnephew).
- (r) To the CHARLES W. BOWERS MEMORIAL MUSEUM, at Santa Ana, California, one oil painting by J. Chelminsky (noted Polish artist) in remembrance of the famous Polish actress, HELENA MODJESKA, upon the condition that said Museum, in accepting said gift, will agree to keep said painting always on public display with a plaque thereon, or close thereby, stating that such painting was given in honor of the memory of Helena Modjeska by her life long friend, A. G. LANGENBERGER,

Said Oil painting needs a new canvas backing and should be remounted. I direct that this be done and that the cost thereof and of said plaque be charged to and paid for by my Executor.

- (s) To CLAREMONT COLLEGE, Pomona, California, all of my Chinese and Japanese furniture and furnishings including Chinese lamps and lanterns, oriental tapestries, ornaments, brick a brac, vases, pictures, and cabinets and my bronze lions, buddas, Japanese gong, oriental costumes and all Chinese and oriental rugs.

VII.

In the event of the demise of any of the legatees or beneficiaries hereinbefore mentioned in paragraph Sixth hereof prior to distribution to them pursuant to a final decree of distribution, any portion of such devises or bequests not previously distributed to such deceased legatees or beneficiaries shall lapse and become a part of the residue of my estate to be disposed of as hereinafter provided.

VIII.

All the rest, residue and remainder of my estate, either personal or mixed, of whatsoever kind and character and wheresoever situated, of which I die possessed, or which I may in any manner be entitled, or over which I may at the time of my death have the power of appointment, including all lapsed and failed legacies and devises, I hereby give, devise and bequeath in the manner as follows:

1. To ELIZABETH SCHUBERT, my niece, one-sixth thereof in recognition of her devotion to me.
2. To ARTHUR TURCK, my nephew, one-sixth thereof in recognition of his kind attention to me.
3. To GERALD C. HALSEY, my friend, one-twelveth thereof.
4. To CHARLES RUGGIER CLEVE, my grandnephew, one-sixth thereof.

5. To CARLYLE F. LYNTON, one-twelveth thereof.
6. To CARLYLE EDWARD LYNTON, HOWARD VINCENT LYNTON, and CAROLYN MERCEDES LYNTON, the children of Carlyle Frisbie Lynton, by his wife Alice, one-sixth thereof to be divided equally between them. The share of any such child which shall predecease me shall go in equal portions to the survivors, and the whole to the last survivor. In the event that it is necessary that a guardian be appointed for one or more of said children in order that they, or any of them may receive the benefit of this bequest, it is my wish that their Mother, Alice Lynton, be appointed as such guardian.
7. To the DAUGHTERS OF CHARITY OF SAINT VINCENT'S HOSPITAL, Los Angeles, California, one-sixth thereof. It is my desire and I recommend that the said one-sixth of my residuary estate so bequeathed and devised be held intact and used as the corpus of this precatory trust and that only the income therefrom be used for the purpose of installing a bed or beds in said hospital and/or otherwise providing for the hospitalization and care of indigent persons of male sex under the age of forty. In the event of a catastrophe or other major calamity, the testator hereby recommends and sanctions the invasion and expenditure of said corpus in such amount or amounts as may be deemed necessary and approved by the unanimous consent and direction of the governing board or committee of said charitable organization.

IX.

If any legatee or devisee named and mentioned in paragraph Eight hereof, owes me any sum or sums of money upon my death, whether evidenced by Note or otherwise, each and every and all such indebtedness is hereby forgiven and forever cancelled and no bequest or devise or gift as in this Will provided shall be cut down or deminished or off set by reason of or because of any such indebtedness.

X.

In the event that any of the residuary beneficiaries named in paragraph Eight hereinbefore, predecease me, or that any of said

bequests provided for therein fail, the share or shares of my estate which would otherwise have been disposed of thereby shall, except as otherwise in subdivision 6 above provided, serve to enhance and enlarge the shares of the remaining beneficiaries proportionately as their interests and shares appear in said paragraph Eight.

XI.

I direct my Executor, with the assistance of my attorney, Franklin B. MacCarthy, to sell my home and the entire premises commonly known and designated as 500 Bel-Air Road, West Los Angeles, California, together with all furnishings, equipment and furniture not otherwise disposed of herein, and the proceeds of such sale, or sales, if the furnishings and furniture are sold separately, shall go to and enhance the residuum of my estate and shall be distributed as in paragraph Eight hereof provided.

XII.

I direct my Executor to distribute said residue of my estate in kind to the extent that the same is reasonable and practical reserving to my Executor full power of selling such part thereof as in its good judgment is necessary to be sold for the benefit of my estate and its administration.

No interest shall be paid on any legacy provided for in this Will. I have intentionally omitted making provisions for any of my heirs, who are not specifically mentioned herein, and I hereby generally and specifically disinherit each, any and all persons whomsoever claiming to be or who may lawfully be determined to be my heirs at law, except such as are mentioned in this Will, and if any such persons or such heirs, or any devisee or legatee or beneficiary under this Will shall contest in any Court any of the provisions in this instrument or shall not defend or assist in good

all such persons shall not be entitled to any such devises, legacies or benefits under this Will or any codicil hereto, and any and all bequests devises and legacies provided to be paid to such person shall be paid, distributed and pass as though such person had died without issue of his or her body before my death or becoming entitled to receive any portion of said estate.

XIII.

Should any part, clause, provision or condition of this Will be held void, invalid or inoperative, then I direct that such invalidity shall not affect any other clause, condition or provision hereof, but the remainder of this Will shall remain effective as though such clause, condition or provision had not been contained herein.

XIV.

Attention is called to the fact that I have a revocable trust in the principal office in San Francisco, California of Bank of America (designated Trust 154). Subject to the judgment of my Executor to the contrary, and to the extent that may be reasonable and practical, it is my wish that during the administration of my estate and pending its distribution, that said bank be permitted to continue as custodian of said trust assets.

XV.

I hereby nominate and appoint as Executor hereof Bank of America National Trust & Savings Association with the direction that to the extent that it is reasonable and practical, the administration of my estate be handled by it through its principal office located in the City of Los Angeles, County of Los Angeles, State of California.

XVI.

I hereby employ my attorney, FRANKLIN B. MacCARTHY to represent me in the drawing of, and the carrying out of the provisions of this Will; and I direct that he be additionally employed by my Executor to represent it in the administration of my Estate and the probate thereof, and I hereby direct that his fees in the premises shall be a charge against my estate and shall be paid by my Executor.

IN WITNESS WHEREOF, I have hereunto set my hand this 11th
day of August, 1949.

/s/ AMADEUS G. LANGENBERGER

/s/ A. G. LANGENBERGER
AMADEUS G. LANGENBERGER, also known as
A. G. LANGENBERGER

The foregoing instrument, consisting of Nine (9) pages, including this page, was at the date hereof by the said AMADEUS G. LANGENBERGER, also known as A. G. LANGENBERGER, signed, sealed and published as, and declared to us to be, his Last Will and Testament, who, at his request, and in his presence, and in the presence of each other, have subscribed our names as witnesses thereof.

/s/ CLIFFORD S. HEINZ, Jr. Residing at 615 N. Trenton Dr.

Beverly Hills, California.

/s/ JACK T. PETERSON Residing at 1629 N. Fairfax Ave.,

Hollywood 46, California

13044

Bank of America
NATIONAL TRUST AND SAVINGS ASSOCIATION
Trust Department

BEVERLY HILLS MAIN OFFICE

BEVERLY HILLS, CALIFORNIA

February 2, 1950

Daughters of Charity of
Saint Vincent's Hospital
2131 West 3rd Street
Los Angeles, California

Subject: Trust EO-50247, Estate of
Amadeus G. Langenberger, dec'd.

Dear Mesdames:

We enclose for your information, copy
of Mr. Langenberger's Last Will and Testa-
ment dated August 11, 1949.

Yours very truly,



F. M. SMITH,
Assistant Trust Officer

FMS:ab
Enclosure

1 FRANKLIN B. MCCARTHY
7900 Hollywood Boulevard
2 Los Angeles 16, California.

3 Gladstone 3124
4 Attorney for Petitioner

6 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

7 IN AND FOR THE COUNTY OF LOS ANGELES

9 IN THE MATTER OF THE ESTATE OF

No. 392,217

10 AMELIA G. LANGENBERG, also
11 known as A. G. LANGENBERG,
Deceased

SUPPLEMENT TO SECOND AND FINAL ACCOUNT

13 TO THE HONORABLE, THE SUPERIOR COURT OF THE STATE OF CALIFORNIA,

14 IN AND FOR THE COUNTY OF LOS ANGELES,

15 BANK OF AMERICA NATIONAL TRUST AND SAVINGS ASSOCIATION, an Execu-
16 tor of the last Will and Testament of AMELIA G. LANGENBERG, also known
17 as A. G. LANGENBERG, Deceased, presents herewith its supplement to second
18 and final account, which supplement covers the period from November 3, 1951
19 to January 7, 1952, inclusive.

20 ACCOUNT "A"

21 THE BALANCE IS CHARGEABLE WITH THE FOLLOWING:

22 Balance from Second and Final Account:

23 Cash \$ 7,454.52

24 Savings Account 6912 at Bank of America
25 National Trust and Savings Association,
Beverly Hills Main Office 7,500.00

26 Other Assets 83,479.61

27 Total from Second and Final Account \$ 98,434.33

28 AND THE FOLLOWING RECEIPTS:

29 1951

30 Nov. 8 - 100 shs. American Viscose Corp. Com.
31 Current Dividend 8240.00

2 7700 Hollywood Boulevard
Los Angeles 46, California.

3 Gladstone 3056

4 Attorney for Petitioner

6 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

7 IN AND FOR THE COUNTY OF LOS ANGELES

9 IN THE MATTER OF THE ESTATE OF

10 AMANDA G. LANGENBERGER, also
11 known as A. G. LANGENBERGER,
12 Deceased

10 No. 302,217

11 SUPPLEMENT TO SECOND AND FINAL ACCOUNT

13 TO THE HONORABLE, THE SUPERIOR COURT OF THE STATE OF CALIFORNIA,

14 IN AND FOR THE COUNTY OF LOS ANGELES,

15 BANK OF IOWA NATIONAL TRUST AND SAVINGS ASSOCIATION, as Execu-
16 tor of the Last Will and Testament of AMANDA G. LANGENBERGER, also known
17 as A. G. LANGENBERGER, Deceased, presents herewith its supplement to second
18 and final account, which supplement covers the period from November 3, 1951
19 to January 7, 1952, inclusive:

20 ACCOUNTS *1*

21 THE EXECUTOR IS CHARGED WITH THE FOLLOWING:

22 Balance from Second and Final Account:

23	Cash	\$ 7,451.52
24	Savings Account 6712 at Bank of America 25 National Trust and Savings Association, 26 Beverly Hills Main Office	2,500.00
27	Other Assets	61,827.81
28	Total from Second and Final Account	\$ 71,779.33

28 AND THE FOLLOWING RECEIPTS:

29	1951		
30	Nov. 8	- 140 shs. American Viscose Corp. Com. 31 Current Dividend	\$210.00
32	Nov. 21	- 100 shs. Sears Illinois Glass Co. Common Current Dividend	100.00

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2 Dec. 18 - Sale of Old 1 Dollar Bill Series of 1894
3 Old 2 Dollar Bill Series of 1896
4 Old 1 Dollar Bill Series of 1917 6 6.50
5 1 sh. Owens Illinois Glass Co. Common
6 Current Dividend 8.50

7 Dec. 19 - \$1,000 U. S. A. Treasury Bonds 1951-59
8 Current Bond Interest 12.50
9 \$1,000 U. S. A. Treasury Bonds 1951-59
10 Current Bond Interest 12.50

11 Dec. 20 - 61 1/2 sh. Continental Oil Co. Com.
12 Year End Dividend 653.60

13 Dec. 26 - Int. to 12-31-51 Regs. Acct. 6912 85.00

14 1952

15 Jan. 7 - Landmarks Printing by Cas. Dues
16 Proceeds of Sale 595.00

17 21 sh. Simmons Food Inc. Co. Common
18 Stock
19 Sold at 56 46,726.00
20 Less Commission 227.43
21 Fed. Tax 27.91 1,676.07

22 60 sh. American Viscous Corp. Com.
23 Stock
24 Sold at 65-7/8 39,812.50
25 Less Commission 225.78
26 Inst. & Int. 1.00
27 Fed. Tax 29.56 3,922.96

28 \$1,000 U. S. Treas. 2 1/2 Bond due 12-25-59
29 Sold at 96-12/32 963.75
30 Accrued Interest 1.37

31 \$1,000 U. S. Treas. 2 1/2 Bond due 6-15-59
32 Sold at 96.16 965.00
33 Accrued Interest 1.37

34 TOTAL CASH RECEIPTS 11,913.60

35 TOTAL CHARGEABLE 1,05,297.27

36 SCHEDULE "F"

37 THE EMPLOYER TAKES CREDIT FOR THE FOLLOWING DISBURSEMENTS:

38 1951
39 Nov. 19 - Certified Copy of C/O Authorizing
40 Sale of Personal Property at Auction 1.15

41 Dec. 1 - The Los Angeles Daily Journal
42 Certified Copies of Orders Authorizing
43 Sale of Stock 2.70

2 Jan. 7 - Commission and sale charges re sale
 3 of Landscaps painting by George Innes \$118.13
 4 State tax re sale of 60 sh. American
 5 Wisconsin Common Stock. 2.40
 6 TOTAL DISBURSMENTS \$120.53

7 AND THE FOLLOWING DEDUCTIONS:

8 Inventory and appraisement filed May 11, 1950:

9 Item 116 - Old one dollar bill, series of 1896 1.00
 10 Item 117 - Old two dollar bill, series of 1896 1.00
 11 Item 118 - Old one dollar bill, series of 1917 1.00
 12 Item 108 - Landscaps painting by George Innes 900.00
 13 Item 87 - Portion of item represented by the
 14 following:
 15 60 sh. Fireman's Fund Insurance Co.
 16 Capital \$7.50 per value stock (Cal-
 17 ifornia) 3,928.00
 18 Item 12 - Portion of item represented by the
 19 following:
 20 60 sh. American Wisconsin Corp. com-
 21 mon \$11.00 par value stock (Wisc-
 22 onsin) 2,727.50
 23 Item 2 - \$1,000.00 U. S. Treasury Bond, 2 1/2%,
 24 due December 15, 1969, with coupons
 25 due June 15, 1950, at seq attached 1,045.10
 26 Item 1 - \$1,000.00 U. S. Treasury Bond, 2 1/2%,
 27 due June 15, 1969, with coupons
 28 due June 15, 1950, at seq attached 1,046.60
 29 TOTAL DEDUCTIONS \$ 9,170.20

30 TOTAL CREDITS \$ 9,294.58

31 RECAPITULATION

32 SCHEDULE "A", TOTAL DEDUCTIBLE \$ 105,297.93
 33 SCHEDULE "B", TOTAL CREDITS 9,294.58
 34 SCHEDULE "C", BALANCE \$ 95,003.15

35 SCHEDULE "C"

36 Which balance consists of the following:

37 CASH \$ 19,243.74
 38 Savings Account 5912 at Bank of Ameri-
 39 can National Trust and Savings Associ-
 40 ation, Beverly Hills Main Office 2,500.00

STATE ACCOUNT:

120 shs. American Tobacco Corp. Common \$11.00 p. v. stock	\$15,972.50
25 shs. American Telephone & Telegraph Co. Capital \$100.00 p. v. stock	13,943.27
645 shs. Continental Oil Co. Common \$5.00 p. v. stock	19,073.88
195 shs. Fireman's Fund Insurance Co. Capital \$7.50 p. v. stock	10,612.00
105 shs. Crown-Indiana Glass Co. Com- mon \$12.50 p. v. stock	<u>7,022.25</u>

TOTAL ASSETS ON HAND JANUARY 7, 1952

\$ 56,024.90

BANK OF AMERICA NATIONAL TRUST
AND SAVINGS ASSOCIATION

By F. M. SMITH

Trust Officer

1 STATE OF CALIFORNIA }
2 County of Los Angeles } ss

3 F. M. SMITH, of the City of Beverly Hills and County of Los Angeles,
4 being duly sworn, says: I am the Trust Officer of the BANK OF AMERICA
5 NATIONAL TRUST AND SAVINGS ASSOCIATION, Executor of the Estate of ARTHUR G.
6 LAMBERTHNER, also known as A. G. LAMBERTHNER, Deceased. The foregoing
7 Supplement to Second and Final Account of the administration of the said es-
8 tate, is in all respects, just and true, and according to the best of my know-
9 ledge, information and belief, contains a full, true and particular account
10 of all the receipts and disbursements on account of the said estate, from
11 November 3, 1951 to January 7, 1952, inclusive, and of all sums of money be-
12 longing to the said estate which have come into the hands of the Executor
13 as such Executor, or which have been received by any other person by their
14 order, or authority, for their use; and of all payments made on behalf of
15 said estate; and I do not know of any error or omission in said account to the
16 prejudice of any person interested in the said estate.

17 I further state that the items of expenditure, not exceeding twenty
18 dollars, for which no vouchers are annexed or produced, have actually been
19 paid and disbursed by said Executor, at the place where, the date when, and
20 to the parties to whom the said payments are stated, in the said account, so
21 have been made, respectively.

22 F. M. SMITH

23 Subscribed and sworn to before me
24 this 7th day of January, 1952.

25 *Seal*

26 F. W. FLORA

27 Notary Public in and for said
28 County and State.

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1 FRANKLIN B. MAG CARRIE
7900 Hollywood Boulevard
2 Los Angeles 14, California

3 Gladstone 2196

4 Attorney for Petitioner

5
6 This case involves, as shown in Exhibit 'A' and Exhibits,
7 as shown in Exhibit 'B' and Exhibits 'C' and 'D',

8 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA with the
9 IN AND FOR THE COUNTY OF LOS ANGELES

10
11 In the Matter of the Estate of } 308,217
12 ANDREWS G. LANGENBERGER, also } FINAL ACCOUNT AND REPORT OF
13 known as A. G. LANGENBERGER, } EXECUTOR, PETITION FOR CON-
14 DECLARED DECEASED. } FINATION OF SALE OF PERSONAL
15 } PROPERTY AND FOR ALLOWANCE OF
16 } EXECUTOR'S COMMISSIONS AND
17 } ATTORNEY'S FEES, WITH STATUTORY
18 } AND FOR EXTRAORDINARY SERVICES,
19 } AND PETITION FOR DISTRIBUTION.

20 TO THE SUPERIOR COURT OF THE STATE OF CALIFORNIA, IN AND FOR THE
21 COUNTY OF LOS ANGELES

22 Comes now BANK OF AMERICA NATIONAL TRUST AND SAVINGS
23 ASSOCIATION, Executor of the last Will of the above-named decedent,
24 and renders to the Court its Second and Final Account and Report
25 of its administration from August 30th 1950 to November 2, 1951 and,
26 additionally presents, and includes therein, its petition for con-
27 firmation of sale of personal property, under authority of decedent's
28 Will; and its Petition for distribution and for allowance and payment
29 of Executor's commissions and attorney's fees and, in connection
30 therewith, your Petitioner, above-named, respectfully represents:
31 1. That there remained in the possession of the Executor
32 upon the filing of the Executor's first Account Current (the only

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Carlyle Frisbie Lynton, by his wife Alice, one-sixth thereof to be divided equally between them. The share of any such child which shall predecease me shall go in equal portions to the survivors, and the whole to the last survivor. In the event that it is necessary that a guardian be appointed for one or more of said children in order that they, or any of them may receive the benefit of this bequest, it is my wish that their Mother, Alice Lynton, be appointed as such guardian.

7. To the DAUGHTERS OF CHARITY OF SAINT VINCENT'S HOSPITAL, Los Angeles, California, one-sixth thereof. It is my desire and I recommend that the said one-sixth of my residuary estate so bequeathed and devised be held intact and used as the corpus of this precatory trust and that only the income therefrom be used for the purpose of installing a bed or beds in said hospital and/or otherwise providing for the hospitalization and care of indigent persons of male sex under the age of forty. In the event of a catastrophe or other major calamity, the testator hereby recommends and sanctions the invasion and expenditure of said corpus in such amount or amounts as may be deemed necessary and approved by the unanimous consent and direction of the governing board or committee of said charitable organization."

11. That all of the specific and demonstrative bequests were heretofore distributed under Order of Court and all remaining assets in the within Estate constitute the residuary Estate of deced-

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above referred to.

(w) Sale of 60 shares American Viscose Corporation
and 84 shares Firemans Fund Insurance Company,
and Two (2) U. S. Treasury Bonds,
as hereinafter prayed.

(x) Conferences with attaching creditors and working
out of Agreements with respect to distribution
of attached beneficiary's share upon partial
distribution.

(y) Preparation and sending out of Notices to six
Attorneys on record as requesting Notice with
respect to the filing and hearing of all pleadings
and proceedings herein.

(z) Preparation of attorney's Order on Final
Account and Order for Distribution.

18. That by virtue of the extra ordinary services per-
formed; the size of the within Estate; the responsibility undertaken
and the results achieved, your Petitioner verily believes that a
reasonable Executor's Commission to be allowed for such extraordinary
services is the sum of \$5,500.00; and that a reasonable Attorney's
fee to be allowed in the premises is the sum of \$5,500.00.

19. That the sum of \$5,000.00 was heretofore allowed by
the Court to the Executor and a like sum to its Attorney as partial
payment on account of statutory commissions and fees. That the
total statutory commissions and fees are computed as follows:

Appraised value of assets as	
shown by Inventory and Appraisement	\$ 647,129.59
Supplement Inventory.	50,091.70
	<hr/>
TOTAL APPRAISED VALUE.....	\$ 697,221.29
Income from dividend and interest	
etc.	32,957.86

Net Gains \$ 13,111.49

TOTAL \$ 763,293.64

7% first \$1,000.00 70.00

1% next \$9,000.00 360.00

3% next \$10,000.00 300.00

2% next \$30,000.00 600.00

1% on \$693,293.64 6,932.94

TOTAL \$ 8,262.94

Less amount already paid = 5,000.00

Balance due on Statutory
fees and like amount due on
Executor's statutory Commissions..... \$ 3,262.94

20. That pursuant to paragraph Eight of decedent's Will,
the following persons are entitled to the entire remaining residuary
estate in the proportions here indicated, viz:

1. MARGARETH SHERMAN,
One-sixth;
2. ARTHUR TURCK,
One-sixth;
3. DONALD C. HALSAY,
One-twelfth (NOTE: Mr. Halsay's share
of the estate will be distributed to his
Executors);
4. CHERYL MARIE OWENS,
One-sixth;
5. CAROLLE F. LYNTON,
One-twelfth;
6. CARLYLE EDWARD LYNTON, HOWARD VINCENT LYNTON
and CAROLYN (also spelled CAROLINE) MERCEDES