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Office of Atty. General  
ERO - CT&O SectionLAST WILL AND TESTAMENT OF LEO ELOESSER

This is the last testament of the undersigned, DR.  
LEO ELOESSER, in accordance with the following declarations and articles:

## DECLARATIONS

1. I declare that I was born in the City and County of San Francisco, State of California, United States of America, on the 29th day of July 1881, and that I am ninety-three years of age, a United States citizen, single, physician, resident of the Rancho de San Miguel, Municipality of Tacambaro, State of Michoacan, Republic of Mexico, in which I am living as immigrant, authorized originally by the Secretaria de Gobernacion (Ministry of the Interior) under date of the 28th day of March 1963. My parents were Arthur Eloesser and his wife, Molly Heynemann, both now deceased. I have no descendants.

2. I am in good health and in normal use of my mental faculties and am free of all coercion or force. I execute the present instrument, being my last will and testament, in accordance with the following Articles.

3. I am led to the hereinafter directed disposition of my estate by knowledge that my immediate relatives, my sister, Mrs. Helen LaPlant, and Mrs. Nina Eloesser, wife of my deceased brother, have sufficient wherewithal to eat, clothe and house themselves comfortably, both now and in the foreseeable future, and that any money I might devise to them over and above a sum token of my love, would be superfluous.

## ARTICLE I

I hereby revoke all former wills and codicils.

## ARTICLE II

The appointment of my executors and their powers are as follows:

a. I appoint as co-executors of any property requiring probate in the State of California, Miss Joyce Campbell of San Miguel Tacambaro, formerly of 205 Market Street, Danville, Pennsylvania, and Wells Fargo Bank of San Francisco, California. No bond shall be required of Joyce.

b. I appoint Miss Joyce Campbell and The Banco Nacional de Mexico (Trust Department) with head offices at Isabel la Catolica, Number 44, Mexico City, as co-executors of all of the rest of my estate. Joyce is to serve without bond since, as will appear hereinafter, her inheritance will amply suffice to guarantee her executorship in conformity with Articles 1708 and 1709 of the Civil Code of the (Mexican) Federal District and Territories and the corresponding Articles 1566 and 1567 of the Civil Code of the State of Michoacan.

c. I give my executors maximum power to sell and lease without notice and to invest and reinvest in such property as my executors deem to be in the best interest of my estate to the fullest extent provided by law; to partition and distribute my estate in kind; to pay any California, United States and foreign death taxes from that portion of the residue of my estate which is subject to California probate; to pay any United States and California income taxes and costs of administration of California probate proceedings from the California probate estate; and to make charitable gifts from the residue of my estate up to 50% of the adjusted gross United States income for each of its fiscal years.

## ARTICLE III

I give the following:

a. To my sister-in-law, Mrs. Nina Eloesser, my 206 shares of common stock in the Avco Corporation and my 102 shares of common stock in United Airlines Company.

b. To the children of my brother, Herbert Eloesser, deceased, and his wife, Nina:

(1) To my nephew Arthur Eloesser 420 shares of common stock in the E. I. du Pont de Nemours and Company.

(2) To my nephew Herbert Eloesser my 234 shares of common stock in the Bendix Corporation and my 234 shares of common stock in Continental Can Company.

(3) To my niece Nina Eloesser my 900 shares of common stock in General Electric Company.

c. To the sons of my sister, Mrs. Helen LaPlant:

(1) To my nephew Oliver LaPlant of 5050 Tijunga, Apartment 24, North Hollywood, California 91601, my 800 shares of common stock in the General Foods Corporation, my 400 shares of common stock in the Ralston Purina Company, and my 696 shares of Pacific Telephone and Telegraph Company.

(2) To my nephew Arthur LaPlant of 1851 Lynwood Drive, Concord, California 94519, my 600 shares of common stock in the Owens Illinois Glass Company, and my 641 shares of common stock in the Shell Oil Company.

(3) To my nephew Leo LaPlant of 14 Elisa Drive, Orinda, California 94563, my 1324 shares of common stock in the American Telephone and Telegraph Company.

d. To my dear friend and partner of many years, Dr. William Lister Rogers of 37 Presidio Avenue, San Francisco, California 94115, my 440 shares of common stock in American Can Company.

e. To my friends and former secretaries: Mrs. Ralph Gray, nee Virginia Gregory of Whittier, California; Miss Florence Oberg of 3120 Raleigh Street, Minneapolis, Minnesota 55416; Miss Mary Holmes, Star Route 1275, Belfast, Maine 04915; Mrs. Isabel Washington, nee Hawley, of San Francisco, California; Mrs. Frances K. Fox of Post Office Box 87, Point Reyes Station, California 94956, each the sum of two hundred dollars.

f. To Mrs. George Voyayich, nee Mahan and to Mrs. Frances Kennedy Jackson of 2355 Polk Street, both of San Francisco and formerly nurses at San Francisco Hospital; to Miss Rose Belli of 170 First Avenue, Daly City, California; to Miss Madeleine Whalen of 450 Forty-seventh Avenue, San Francisco, California 94122, each the sum of one hundred dollars.

If any of the foregoing beneficiaries fails to survive me, the gift to such beneficiary shall lapse and become a part of the residue of my estate.

g. Provided my sister survives me, to the testamentary trust fund held in trust for my sister, Mrs. Helen LaPlant, by the Wells Fargo Bank of San Francisco under Trust 3-12707 (Three dash one two seven zero seven) my 639 shares of common stock in Standard Oil of California. If my sister does not survive me, this gift shall be divided equally among her children and the issue of any deceased child by right of representation.

h. If she survives me, to my dear companion Joyce Campbell:

(1) All my interest in the real property and improvements thereon commonly known as 275 Telegraph Hill Boulevard and Lots 25 and 7 of

Block 106 on the north side of Union Street and west of Sansome Street, San Francisco, California.

(2) A life estate in all my interest in the real property and improvements thereon commonly known as 718-720 Montgomery Street and 27 Hotaling Place, San Francisco, California, and I direct that she shall not be liable for waste. Upon the death of Joyce the remainder shall vest in those qualified charitable organizations selected by my California executors to administer the loan funds for needy students of medicine in the same proportions as that portion of the residue of my estate distributed under Article IV of this will.

i. Any interest I have at my death in the following musical instruments I give as follows:

(1) To the Music Department of the University of California at Berkeley, in honor of the late Professor Albert Elkus, the violin by Marconcini and the bow by Adan.

(2) To the Music Department of Stanford University the viola, reputedly by Landolfi (now on loan to Mrs. Suzanne Sargent, 1932 Baker Street, San Francisco, California), the viola by an unknown maker, and the bow by Tourte.

(3) To the Music Department of the California State University at 1600 Holloway, San Francisco, the viola by Balestrieri.

The institutions may lend the instruments to qualified students and professionals for practice and performance, but must require proper guarantees and adequate insurance coverage on the part of the borrowers before the instruments are removed from the premises of the institutions.

j. I give the rest of my tangible personal property to Joyce Campbell.

If between the date of the execution of this Will and the date of my death the number of shares of any stock given in this Will is increased or decreased in number by way of stock dividends, split-ups, reorganizations, or other similar means, the gift of stock shall consist of the number of shares of the stock that represents as of the date of my death the number of shares of stock given by this Will. If between the date of this Will and the date of my death any corporation whose stock is given in this Will is merged with or consolidated into another corporation, the gift of stock shall be the number of shares of the class of stock in the surviving corporation that represents, as of the date of my death, the number of shares of the class of stock given. If the total number of shares of a class of stock given in this Will (as increased, decreased, or exchanged, as provided in this Paragraph) exceeds the number of shares owned by me at the time of my death, then all gifts of this stock shall be ratably reduced so that the total number of shares of the stock given shall be the number of shares owned by me at the date of my death.

#### ARTICLE IV

*22 June*

I give that portion of the residue of my estate which is included in my adjusted gross estate for United States estate tax purposes to establish loan funds for medical students. The selection of the organizations to administer these funds shall be made by my California executors with preference to those organizations that I may from time to time designate by letter; provided, however, that all distributions shall be subject to the following:

a. If I am a citizen of the United States at my death, said distributions shall be made only to organizations which are exempt from estate tax under the provisions of the United States federal estate tax laws in existence at my death corresponding to Internal Revenue Code §2055(a).

b. If I am a citizen of Mexico at my death, distributions shall be made only to organizations which are exempt from estate tax under the provisions of the United States federal estate tax laws in existence at my death corresponding to Internal Revenue Code §2106(a).

c. My executors shall distribute said residue as soon as possible and in any event no later than eight years after my death.

#### ARTICLE V.

*Edison*  
I direct that my corpse be buried as cheaply as possible in whatever town or place I may happen to die; the expense of burial not to exceed seventy-five dollars; a plain wooden box to serve as casket or coffin; there to be no funeral ceremony or procession of any kind; my corpse not to be transported to San Francisco should I die elsewhere, but to be buried or its ashes disposed of in a burial ground nearest the place of my death; the plaque, stone or label designating my grave not to cost more than five dollars and no one besides the driver of the vehicle used to transport my corpse to accompany it to burial or cremation.

I further request that the sum of five hundred dollars be set aside from my estate as payment to the musicians of a decent string quartet, who are to play in some public place.

in San Francisco the string quartet of Mozart in C major, (K.V. 465) and the quartet of Beethoven in F major, Op.

135. To this performance my friends and others who may wish to come are to be publicly invited. Said performance to take place within a month of my death, if possible; no speeches or other verbal utterances to be made at said performance.

#### ARTICLE VI

I request and beseech that my name not be used to wheedle contributions from my friends or anyone else for any institution or cause, educational, political, charitable, artistic, or any other whatsoever.

#### ARTICLE VII

*El Encino*  
I give all of the balance of the residue of my estate to the Banco Nacional de Mexico at Isabel la Catolica 44, Mexico City, 1, D.F. in trust, to be divided into loan fund accounts for needy students of medicine in amounts as

designated by my Mexican executors. In making such allocations among new loan fund accounts and loan fund accounts established by me during my lifetime my Mexican executors shall be guided by pertinent documents in the possession of the Trust Department of Banco Nacional de Mexico and any written instruction I may from time to time give to them.



## ARTICLE VIII

No beneficiary shall be deemed to have survived me unless such person is living four months after my death.

I subscribe my name to this Will this 14th day of February, 1975, at San Francisco, California.

Leo Eloesser  
LEO ELOESSER

On the date last above written, LEO ELOESSER declared to us, the undersigned, that the foregoing instrument consisting of nine (9) pages including the page signed by us as witnesses, was his Will and requested us to act as witnesses to it. He thereupon signed this Will in our presence, all of us being present at the same time. We now, at his request, and in his presence and in the presence of each other, subscribe our names as witnesses.

Catherine L. Lee  
Catherine L. Lee

Residing at

620 Los Francos Road,  
Portola Valley, California

Emily M. Beckard

Residing at

3350 18th Street  
San Francisco, California

Virginia B. Reutinger

Residing at

1532 Walnut St  
Berkeley, California