

MILTON S. HERSHEY
“HIS DEEDS ARE HIS MONUMENT, HIS LIFE IS OUR INSPIRATION”

APPENDIX XVI: 1933 DECREE

Appendix XVI: 1933 Decree

IN THE COURT OF COMMON PLEAS OF
DAUPHIN COUNTY, PENNSYLVANIA
IN EQUITY

IN RE
PETITION OF THE HERSHEY
INDUSTRIAL SCHOOL FOR
MODIFICATION OF TRUST.

EQUITY DOCKET
No. 1096

DECREE

AND NOW, this 30th day of October, 1933, upon consideration of the foregoing petition, made by leave of the Attorney General of Pennsylvania; it appearing the general intention of the donor of all the property and assets of or held in trust for The Hershey Industrial School, petitioner herein, and creator of the trust whereby the school was established, was to provide for the maintenance and education of healthy, normal, needy orphan boys between the ages of four and eighteen, but by reason of the restriction of the provisions of the trust and the enlargement of the facilities of the school there are not enough eligible boys available to fully utilize the facilities of the school and require the expenditure of the total income from the property of the trust after additions and improvements to the school paid from such income have been completed, and therefore there is a failure pro tanto of the purpose of the trust, it further appearing, however, the court can carry into effect the intent of the donor consistently with law and equity: It is therefore ordered, adjudged and decreed as follows:

The Managers of The Hershey Industrial School are hereby authorized and directed from time to time to receive and admit to the school as many poor, healthy, white, male orphans, whose father or mother is deceased, of such ages between four and fourteen years, as may from time to time be determined by the Managers, as in the opinion of the Managers, the extent, capacity and income of the school will provide for, and shall be adequate to maintain, and from time to time as there may be vacancies, or increased ability from income may warrant, to admit others; and thereafter, out of the income of the trust funds, to lodge, feed, clothe, educate and instruct in trades all such orphans admitted to the school.

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No person employed by the school, in any capacity, in connection with which any compensation or expenses are directly or indirectly paid, shall at the same time serve as a member of the Managers of The Hershey Industrial School.

BY THE COURT:

WM. M. HARGEST,
Prest. Judge.

FRANK B. WICKERSHAM,
A. L. J.

JOHN E. FOX,
A. L. J.

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ENDORSEMENTS

BY THE PROTHONOTARY:

Filed October 27, 1933

BY THE RECORDER:

No. 3101
Received
Recorder's Office,
April 16—3:26 P.M.—'52
Dauphin County
Penna.

STATE OF PENNSYLVANIA,
DAUPHIN COUNTY.

} ss:

Recorded in the Office for Recording of deeds, etc., in and for the County of Dauphin, in Misc. Book I, Vol. 7, Page 136.

WITNESS my hand and seal of office this 16th day of April, Anno Domini 1952.

[RECORDER'S SEAL]

MARION T. ANDERSON,
Recorder.