

*[Nota Bene: This is a transcription of Beate Salz's copy,  
blurred in a few places, of Eka's will.]*

## LAST WILL and TESTAMENT

I, ERNST H. KANTOROWICZ, residing and domiciled at No. 22 Alexander Street, in the Borough of Princeton, in the County of Mercer and State of New Jersey, do hereby make, publish and declare this to be my Last Will and Testament, hereby revoking all other Wills and Codicils heretofore made by me.

FIRST: It is my desire to be cremated within ten hours of my death or as soon thereafter as may be possible and lawful. I do not wish to have any kind of funeral. If, however, the physicians of the Princeton Medical Group, Ltd., desire a post-mortem examination of my entire body, they are hereby given my permission to do so. I direct my Executor to send my ashes to my niece, DR. BEATE R. SALZ.

SECOND: I direct my Executor herein named to pay all my just debts and cremation expenses as soon after my decease as may be practicable.

THIRD: I give and bequeathed to my housekeeper, MRS. LAURA GABLE, of R.D. 1 - Box 360, Princeton, New Jersey (Monmouth Junction), the sum of ONE THOUSAND DOLLARS (\$1,000.00) for the service she has rendered to me during the last twelve years. This sum is to be paid from such cash as I shall have in my possession at the time of my death, including deposits in bank accounts both in this country and out of this country. In the event there is insufficient cash to pay this legacy, the amount of this legacy shall consist of the amount of the available cash, as aforesaid. I do not want other assets to be sold to pay this legacy.

FOURTH: Subject to the provisions of this Article, I give and bequeath one-half of all of the securities owned by me at the time of my death to my cousin, VERA M. (MRS. ERNEST J.) PETERS, of 747 North American Street, Stockton, California, and the other half my said share of securities to the issue of my late sister, SOPHIE (MRS. ARTHUR) SALZ, me surviving, in equal shares, per stirpes and not per capita. In the event that my residuary estate, disposed of in and by Article ELEVENTH, below, should contain insufficient readily saleable property to bring enough cash to discharge all of my debts, funeral and administration expenses and inheritance, death and succession taxes, my Executor, hereinafter named, shall be empowered to sell sufficient shares of my said securities to bring in such additional cash as may be required for the aforesaid purposes and to use the proceeds of the sale of said part of my said securities as a part of my residuary estate for the aforesaid purposes and only the remaining balance of my said securities shall then become the subject of the bequest made by this Article FOURTH.

FIFTH: I give and bequeath such of my books as may be determined to be useful to the Institute for Advanced Study, as hereinafter provided, to the Institute. Such books as shall be determined to be not useful to the Institute, shall be sold through Bernard M. Rosenthal, Inc., of 120 East Eighty-fifth Street, New York, New York, and the net proceeds of such sale shall

become a part of my residuary estate. The determination of which books shall be of use to the Institute shall be made by the Librarian of the Institute, Dr. Judith Sachs, or her successor, Professor Harold Cherniss of the Institute, and any other member of the faculty of the Institute, such other member to be chosen by Dr. Sachs or her successor and Professor Cherniss. If for any reason, Professor Cherniss is unable or is unwilling to act in this capacity, Dr. Sachs or her successor shall appoint one other member of the faculty of the Institute to act in his stead.

SIXTH: I give and bequeath my Rodin water-color to my said cousin, VERA M. PETERS.

SEVENTH: I give and bequeath my Greek vases to the Institute for Advanced Study. If the Institute is unwilling to accept them, I give and bequeath them to the persons mentioned in Article NINTH of this Will on the same terms as set forth in Article NINTH.

EIGHTH: I give and bequeath all of my table silverware and all of my silver candle sticks to my said niece, DR. BEATE R. SALZ.

NINTH: I give and bequeath all the rest of my furniture and household effects, and my works of art not otherwise bequeathed to my former students and assistants, DR. MICHAEL CHERNIAVSKY OF THE University of Chicago, Chicago, Illinois, and DR. RALPH E. GIESEY of the University of Minnesota, Minneapolis, Minnesota, who are to divide the same among themselves and take whatever they want. If, however, any dispute arises of this distribution, of any nature whatever, it shall be settled conclusively and without further recourse by my Executor. If some of my said furniture, household effects and works of art are not wanted by these, my former students and assistants, the same shall be sold and the net proceeds of the sale shall become a part of my residuary estate.

TENTH: I give and bequeath any automobile or automobiles that I may own at the time of my death, to the said Dr. MICHAEL CHERNIAVSKY.

ELEVENTH: I give, devise and bequeath all the rest and remainder of my property, both real and personal, of whatever nature and wheresoever situated, of which I may die seized or possessed, or to which I may be in any way entitled at the time of my death, together with all property over which I may have any power of appointment or other distribution by Will (all comprising my residuary estate), to the issue of my late sister, SOPHIE SALZ, me surviving, in equal shares, per stirpes and not per capita.

TWELFTH: I direct my Executor to collect all of my letters and correspondence and burn them.

THIRTEENTH: I direct my Executor to collect all of my unpublished articles and essays, my notes and my lecture notebooks. If either of my former students and assistants, the said DR. MICHAEL CHERNIAVSKY or DR. RALPH E. GIESEY, wish to use these papers in connection with their work, then I give and bequeath these papers to them. If any disputes arise out of this

distribution, or any nature whatever, it shall be settled conclusively and without further recourse by my Executor. It is my express direction to my Executor, however, and in the event any of these papers are distributed in accordance with this Article, I hereby make it an express condition of this distribution, that none of these papers be published posthumously. In the event neither of my former students and assistants take any of these papers, I direct my Executor to burn them.

FOURTEENTH: In any case in which, under the provisions hereof, any bequest or devise is dependent upon the legatee or devisee thereof surviving me, if such legatee or devisee and I die under such circumstances that it shall not be possible in the opinion of my Executor, after investigation deemed by him to be reasonable, to determine whether such legatee or devisee or I died first, it shall be presumed that such legatee or devisee did not survive me and my estate, or such portion thereof as shall be affected, shall be disposed of in accordance with the provisions thereof governing in the case of the failure of such legatee or devisee to survive me.

FIFTEENTH: I hereby nominate, constitute and appoint THE FIRST NATIONAL BANK OF PRINCETON, of Princeton, New Jersey, as Executor of this my Last Will and Testament and I direct that it shall not be required to file any bond or other security for the faithful performance of its duties as Executor hereof in any jurisdiction whatever.

SIXTEENTH: My Executor hereinbefore named shall have the following powers and authority of a discretionary nature:

(a) To retain any share of my estate or any income which becomes payable to a minor until such minor attains the age of twenty-one years or sooner dies, with all the powers of investment and management hereinafter in this paragraph granted to him, and subject to the provisions of Article SEVENTEENTH, and to collect the income therefrom and to pay over or apply all or any part or such income therefrom as he may deem necessary or advisable, [for the] support, maintenance and education of such minor either by payment directly to such minor or to his or her parent or guardian or to the person with whom he or she may reside, or by payment directly for goods and services furnished such minor. The receipt of any person to whom such payment is made shall be deemed full and sufficient acquittance therefor.

(b) To retain any part or all of my estate in the form in which I leave it even though not in the form of investments allowed under the laws any jurisdiction for an executor.

(c) To divide or distribute my estate in cash or in kind or partly in cash or partly in kind with power for that purpose to determine the values of such property.

(d) To see, mortgage, divide, exchange, lease and otherwise manage and dispose of at public or private sale ll property both real and personal, without the application to any court.

(e) To invest any and all of the property and funds of my estate in any real or personal property including, but not being limited to, investments and securities of any class including common stocks. It is not my intention to limit my estate to investments classified as legal for executors in any jurisdiction.

(f) To exercise all voting and other rights in connection with all securities and investments in my estate including the right: (1) to vote in person or by proxy, (2) to delegate discretionary powers, (3) to join in any reorganization or protective committee and make any payments in connection therewith, (4) to consent to the reorganization, constitution, merger or dissolution of

any corporation and (5) to exercise, sell and purchase stock rights and to make any and all payments in connection therewith.

(g) To settle, compromise and adjust any and all claims by or against me or my estate.

(h) To borrow from any source, including itself, such sum or sums of money as is necessary or proper for the advantageous settlement and administration of my estate.

(I) To cause any and all securities to be registered in the name of a nominee or nominees.

(j) To determine what expenses are to be paid out of income and principal respectively.

(k) to set aside or not set aside income to amortize any premium over the par value of any security received or purchased.

SEVENTEENTH: The following administrative and interpretive provisions shall govern the administration of my estate and the conduct of my said Executor hereunder.

Persons dealing with my said Executor shall not be obligated to look to the application of any moneys paid to him.

IN WITNESS WHEREOF, I, the said Testator, ERNST H. KANTOROWICZ, have hereunto set my hand seal this 16<sup>th</sup> day of November, in the year of our Lord, one thousand nine hundred and sixty-two.

Ernst Kantorowicz

Signed, Sealed, Published and  
Declared by ERNST H. KANTOROWICZ,  
the above-named Testor, to be his  
Last Will and Testament, in the presence  
or us, who in his presence and in the pre-  
sence of each others, have hereunto sub-  
scribed our names as Witnesses this 16<sup>th</sup>  
day of November, 1962,

Joseph L. Stonaker [?]      32 Stonaker [?] Drive  
Trenton 8, N.J.

M. Elizabeth Williams      149 Village Lane  
Levittown, Pa.

Frances F. McAfee      12 Dorann Ave.  
Princeton, N. J.