

MILTON HERSHEY SCHOOL

DEED OF TRUST

November 15, 1909

MILTON S. HERSHEY and CATHARINE S. HERSHEY

HERSHEY TRUST COMPANY, TRUSTEE

M. S. HERSHEY, ET AL., MANAGERS

Modifications of Deed of Trust

October 30, 1933

December 17, 1951

Certificate of Incorporation

December 30, 1919

Amendments of Certificate of Incorporation

October 30, 1933

December 24, 1951

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HERSHEY, PENNSYLVANIA

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Deed of Trust

November 15, 1909

THIS INDENTURE Made this Fifteenth day of November, in the year of our Lord One Thousand Nine Hundred and Nine (1909),

BETWEEN Milton S. Hershey and Catharine S. Hershey, his wife, of Hershey, Derry Township, Dauphin County, Pennsylvania, parties of the first part, and the Hershey Trust Company of the same place, hereinafter designated as Trustee, party of the second part, and M. S. Hershey, of Hershey, W. H. Lebkicher, and John E. Snyder of Lancaster, John B. Curry, and A. W. Stauffer, of Swatara, John A. Landis, of Manada Hill, George M. Hocker, of Union Deposit, Israel Moyer, of Derry Church, and U. G. Risser, of Campbelltown, Pennsylvania, hereinafter designated as Managers, parties of the third part,

WITNESSETH: That the parties of the first part, with the purpose of founding and endowing in perpetuity an institution to be known as "The Hershey Industrial School", hereinafter designated as the School, to be located in Derry Township, aforesaid, do hereby make, constitute, and appoint M. S. Hershey, W. H. Lebkicher, John B. Curry, John A. Landis, George M. Hocker, A. W. Stauffer, John E. Snyder, Israel Moyer, and U. G. Risser, and their successors, appointed as hereinafter directed, to erect, equip, maintain, direct, and manage the School, upon, under, and subject to the trusts and conditions hereinafter

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declared of and concerning the same, which Managers and their successors shall be known as the Managers of the Hershey Industrial School, and for that purpose, and for other good and lawful considerations, hereby acknowledged, have granted, bargained, sold, aliened, enfeoffed, released, conveyed, and confirmed, and by these presents do grant, bargain, sell, alien, enfeoff, release, convey, and confirm unto the said party of the second part, its successors and assigns,—

ALL THOSE CERTAIN farms situated in the Township of Derry, Dauphin County, Pennsylvania, bounded and described in one tract of land, as follows:

BEGINNING at a point in line of land of Mrs. Michael Henry 497-6/10 [feet] Southeast of a stone a corner of said land and land of M. S. Hershey thence extending by said Henry's land, partly in and along a public road South 74 degrees 32 minutes East 1034-4/10 feet to a corner of land of estate of B. J. McGrann, thence extending by said McGrann land the following courses and distances:

South 39 degrees 12 minutes West 709-5/10 feet, South 20 degrees 10 minutes East 1027-3/10 feet to a point at or near the North side of a private lane, thence by said lane North 85 degrees 50 minutes East 458-7/10 feet to a point in a public road, thence along and in said public road South 21 degrees 40 minutes East 1215-5/10 feet, and South 57 degrees 19 minutes East 623-5/10 feet to a corner of land of Israel Hershey, thence by said Hershey's land the following courses and distances:—South 23 degrees 13 minutes West 918-7/10 feet to a stone on the South side of the Horseshoe Turnpike, thence along the South side of said Turnpike South 76 degrees 54 minutes East 498-2/10 feet to a stone, thence South

16 degrees 36 minutes West 368 feet and South 76 degrees 48 minutes East 714 feet to a stone, thence by lands of Israel Hershey and Samuel Kegerreis respectively South 13 degrees 58 minutes East 2541-5/10 feet to a stone in line of land of Estate of Christian Gingrich, thence by said land North 80 degrees 24 minutes West 2343 feet to a stone at or near the centre of a public road, thence by land of Barbara Coble the two following courses and distances, the first extending along or near the centre of a public road North 9 degrees 45 minutes East 1432-5/10 feet to a stone, and South 77 degrees 56 minutes West 1328-5/10 feet to a stone, thence by land of the Brombach Estate North 6 degrees 49 minutes East 1935 feet to a point on the North side of the Horseshoe Turnpike, thence crossing said Turnpike and extending still by land of said Estate North 81 degrees 59 minutes West 957 feet to a stone on the South side of said Turnpike, thence extending by land of Benjamin Flowers the three following courses and distances:—North 6 degrees 45 minutes East 1042-3/10 feet to a stone, North 86 degrees 20 minutes West 534 feet to a post and South 39 degrees 18½ minutes West 1212-5/10 feet to a stone in the Horseshoe Turnpike, thence along and in said Turnpike by land of Frank Hocker South 89 degrees 24 minutes West 1349-2/10 feet to a stone, thence by land of Frank Hocker and the Estate of Samuel Peters respectively North 28 degrees 38 minutes West 2358-5/10 feet to a point in line of remaining land of M. S. Hershey, the grantor herein, thence by said remaining land by a line parallel to Chocolate Avenue and 1410 feet distant Southward therefrom North 70 degrees 58 minutes East 4319 feet to the beginning. CONTAINING 485-781/1000 acres.

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TOGETHER with all and singular the stock, implements, tools, machinery, apparatus, and all other personal property thereon, the buildings, improvements, woods, ways, rights, liberties, privileges, hereditaments, and appurtenances, to the same belonging, or in any wise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and every part and parcel thereof, and all the estate, right, title, interest, use, trust, property, possession, claim and demand whatsoever, both in law and equity, of the said parties of the first part, of, in, and to the said premises, stock, implements, tools, machinery, apparatus, and personal property, with the appurtenances, to have and to hold the said premises, stock, implements, tools, machinery, apparatus, and personal property, with all and singular the appurtenances, unto the said party of the second part, its successors and assigns, to the only proper use, benefit and behoof of the said party of the second part, its successors and assigns forever, upon and subject to the trusts and confidences and for the several uses, intents, and purposes hereinafter mentioned declared of and concerning the same, that is to say: in trust for a permanent institution for the residence and accommodation of poor white male orphans, and the requisite teachers and other persons necessary in and about such an institution, and the maintenance, support, and education, as hereinafter prescribed of such orphans: to collect and receive the rents, revenues, and income therefrom and apply the entire net revenue, income, rents, issues and profits thereof to support and maintain the said institution, and increase the facilities and efficiency thereof according to the directions hereinafter contained; to permit the said Managers, and their agents

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and employees under their direction, to take charge of, farm and operate the lands hereby conveyed, under such terms and conditions as they think proper, and to use the same in such manner as is in their discretion most advantageous to the purposes of the trust, to keep the said lands and buildings thereon in good repair, to renew and improve the same when necessary by erecting new buildings thereon, to direct and supervise the disposition of the products thereof, the revenues or income derived therefrom to be paid to and received and collected by the Trustee as hereinbefore provided.

1. If it so happen in the future that gifts, bequests, devises of real or personal property may be made to or for the benefit of the School, the Trustee and the Managers are authorized to accept all such gifts, bequests, devises, whenever the terms, conditions, restrictions, or limitations of such gifts, bequests, devises, are not in the opinion of the Trustee and Managers in contravention of the objects and purposes of this deed, and all such gifts, bequests, devises, whether made to the School by name, or to the Trustee, or to the Managers, or in any manner whatever, shall be paid or transferred by proper conveyance to the Trustee, and be added to and become part of the corpus or principal of the trust estate or of the income, in aid of which the said gifts, bequests, devises, or any of them may have been made; in the absence of any direction accompanying any such gift, bequest, devise, as to whether the corpus or principal of the trust estate or income is intended to be the recipient of such gift, bequest, devise, the Managers shall have the power to determine to which of the funds, or in what proportion to both, such gift, bequest, or devise, shall be paid or transferred, provided

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however, that if any lands or other real property shall be given, conveyed, or devised, to be held, enjoyed or used for the benefit or purposes of the School, the title to the same shall be held by the Trustee under the same trusts as are herein declared of and concerning the lands conveyed to the Trustee, and with the same power to sell and dispose of the said lands or other real property so given, conveyed, or devised, and under the same trusts, as to the proceeds thereof, as are hereinafter declared of and concerning lands which may be sold by the said Trustee and Managers.

2. The Trustee shall on or before the first day of September in each year make out and deliver to the Managers separate statements of principal and income of the trust estate, showing the revenues, receipts, expenses, and disbursements for the year ending with the thirty-first day of July immediately preceding, showing what investments have been sold, redeemed, or paid, and what securities have been bought, acquired, or received, during the year, and a statement showing in detail in what property and securities the trust estate was invested on the preceding thirty-first day of July.

3. The corpus or principal, and the income of the trust estate shall at all times be kept separate and apart from each other by the Trustee, and separate and true accounts of the corpus or principal and income shall be kept by the Trustee, and at all times during the customary business hours of the Trustee, the Managers shall have access to the said accounts. At least once in every year it shall be the duty of the Trustee to exhibit to the Managers, and the duty of the Managers carefully to examine and count the several securities, and to verify them with the statements and accounts furnished and kept by the Trustee.

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4. The Trustee shall pay from time to time, upon request of the Managers, the net income from the premises hereby conveyed, and of any future gifts, bequests, and devises, when, and as the same may be required by them, or so much thereof as in the opinion of the Managers may be necessary, to furnish the amount or amounts of money required by the Managers for the purpose of erecting on the premises above mentioned, buildings and improvements for the farms and School, and procuring furniture, stock, materials, machinery, tools, implements, plant, and equipment for the same, for the expenses, support, maintenance, management, renewals, and repairs of the farms and School, its furniture, plant, and equipment, or for the purpose at any time of enlarging, extending or adding to either or all of said buildings, furniture, plant, and equipment,—the decision of the Managers when expressed in writing and delivered to the Trustee, as to whether the said income, or any part thereof, is or is not required for the purposes mentioned, shall be final and conclusive and binding upon the Trustee, and the receipt of the Managers to the Trustee for all moneys paid to them by the Trustee out of the income, shall be full and sufficient acquittance and discharge of the sums so paid, without any obligation on the part of the Trustee to look to the application of the said moneys.

5. The funds of the principal of the trust estate and the unexpended income of the property held in trust, not immediately needed for the purposes of the School, shall be invested, and the Trustee at all times by and with the authority and approval of the Managers shall have full power and authority to invest all or any part thereof in any securities which the Trustee and the Managers together may consider safe,

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whether the said securities or any of them are legal investments for trust funds or not, and neither the Trustee nor the Managers shall be held accountable for the exercise of its and their discretion, exercised in good faith, as to the character of the investments which may be made by the authority and approval of both. No sale of any securities shall at any time be made by the Trustee, without the authority and approval of the Managers, and no investments of any money shall at any time be made by the Trustee except by and with the approval of the Managers.

6. The Trustee may from time to time, but only with the approval of the Managers, sell and convey in fee simple any part or portion of the lands conveyed by this deed, or which may have been bought or otherwise acquired, which in the judgment of the Managers is not necessary to be kept for the purposes of the School, or which it may be advisable and advantageous to sell, and may execute and deliver a deed, or deeds, or other conveyance for the lands so sold, to the purchaser or purchasers in fee simple, free and discharged of all trusts, and without any obligation on the part of the purchaser or purchasers to look to the application of the purchase money; the purchase money of land so sold shall be held by the Trustee, and invested as herein provided for, and the income therefrom applied to the maintenance of the School. No part of the proceeds of the sale of any land, or of the principal of the trust as it now is, or additions thereto, by gift or otherwise, shall ever be expended for any purpose whatever, except for the purchase of additional land for the purposes of the School.

7. The Trustee may from time to time, and at any time, but only with the approval of the Managers, pur-

chase any additional land adjoining the School property, or conveniently near to it, and take title to the same in itself as Trustee under this deed, and hold the same under and subject to the trusts herein set forth, if they consider such land necessary or convenient for the purposes of the School.

8. No part of the corpus or principal of the trust estate, or of the income, or of the proceeds of any real estate sold, arising from the property hereby conveyed, or gifts, bequests, or devises, or other accretions thereto, and all moneys and securities arising therefrom, or made with or acquired by the principal or income thereof, or accretions thereto, shall at any time be applied to any other purpose or purposes than those herein mentioned and appointed; and in no event shall any part of the corpus or principal of the trust estate ever be used or sold, disposed of or pledged to meet current expenses of the institution for which the current and accumulated income and revenues are exclusively devoted.

9. The Trustee shall receive as its full compensation for the duties required to be performed by it under this deed a commission of five per cent. of the income received by it as Trustee, not exceeding however the sum of One Thousand Dollars per annum, and shall make no charge against, and receive no compensation from the corpus or principal of the trust estate.

All moneys received by the Managers from the Trustee shall be received, held, and used by the Managers for, upon, and subject to the trusts and confidences, and for the uses and purposes hereinafter declared of and concerning the same, and for none other, that is to say:—

10. Out of the moneys received by the Managers

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from the Trustee, from the revenue or income, to erect suitable buildings, and appurtenances, to lodge, board, and instruct, as many orphans as, in the opinion of the Managers, the revenue and other sources of income, authorized to be expended for the purpose, will provide for, and to lodge and board as many other persons, such as officers, teachers, agents, workmen, and servants, as in the opinion of the Managers it may be necessary or convenient shall reside upon the premises, for the purpose of fully carrying out the design in view, and of completely establishing and successfully maintaining the School herein intended to be founded; to furnish and fully equip the School with such furniture, materials, machinery, tools, books, equipment, and all things needful to carry into effect the general purpose, as in the judgment of the Managers may be necessary or convenient for the purpose; to pay the insurance, repairs, and renewals of the property, to pay the compensation of officers, agents, teachers, workmen, servants, or other employes, materials and supplies, the maintenance, clothing, and instruction of the orphans, the expense of boarding and lodging such officers and employes whom the managers may think it proper shall reside at the School, and any other charge or expense contracted or payable by the Managers, for, or by reason of the management, maintenance, support, renewal, improvement or repair of the School, its appurtenances, the plant, and equipment thereto belonging, and of the lands, buildings, and improvements under their care and management. The decision of the Managers as to what are or may be necessary expenses for the maintenance, support, management, renewal, or repairs of the School, and its appurtenances, the plant and equipment thereto belonging or appertaining, and

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of the lands, buildings, and improvements under their care and management, shall be final and conclusive upon the subject.

11. The institution shall be known as "The Hershey Industrial School", and shall be permanently located in Derry Township, Dauphin County, Pa., upon the land hereby conveyed.

12. The Managers shall employ from time to time, at proper compensation to be fixed and established by them, a competent number of teachers, agents, mechanics, workmen, and servants, necessary to take charge of the said farms and School, and to feed, clothe, educate, and instruct in trades, as hereinafter provided, all orphans admitted to the School, and for other purposes necessary to carry out the objects in view; but no person shall be employed who shall not be of tried skill in his or her proper department, and of established moral character.

13. The institution shall be organized as soon as practicable, and when prepared to receive orphans, the managers shall from time to time receive and admit to the School as many poor, healthy, white, male orphans, of such ages between four and eight 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, others shall be admitted. The term orphan in this deed designates a child whose father is deceased.

14. On application for admission, an accurate statement shall be taken, in a book prepared for the purpose, of the name, birthplace, age, health, condition

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as to relatives, and other particulars useful to be known of each orphan.

Those orphans for whose admission application shall first be made, shall be first introduced, all other things concurring, and at all future times, priority of application shall entitle the applicant to preference of admission, all other things concurring, but if there should be at any time more applicants than vacancies, and the applying orphans shall have been born in different places, preference shall be given in the admission: First,—to those born in the Counties of Dauphin, Lancaster, and Lebanon, State of Pennsylvania; Second,—to those born elsewhere in Pennsylvania; Third,—to those born elsewhere in the United States. No orphan who has been properly admitted with reference to the order of preference shall thereafter be displaced to make way for any later or subsequent applicant who may be higher in the order of preference hereinbefore directed to be observed. The decision of the Managers as to the number of orphans to be admitted, and as to the conflicting claims of any or all applicants for admission, shall be final and conclusive.

15. No orphans shall be admitted until the surviving parent, guardian, or other competent authority shall have given by indenture, release, relinquishment, or other lawful acquittance, for such period as the Managers may determine, adequate power to the Managers, or others by them appointed, to enforce, in relation to each orphan, every proper restraint, and to prevent relatives, friends, or others from interfering with, or withdrawing such orphans from the institution.

16. Those orphans who merit it may remain in the

School until they shall respectively arrive at eighteen years of age.

17. All orphans admitted to the School shall be fed with plain, wholesome food; plainly, neatly, and comfortably clothed, without distinctive dress, and fitly lodged. Due regard shall be paid to their health; their physical training shall be attended to, and they shall have suitable and proper exercise and recreation. They shall be instructed in the several branches of a sound education, agriculture, horticulture, gardening, such mechanical trades and handicrafts as the Managers may determine, and such natural and physical sciences and practical mathematics as in the opinion of the Managers it may be important for them to acquire, and such other learning and science as the tastes, capacities, and adaptability of the several scholars may merit or warrant, to fit themselves for the trades they are to learn, and a useful occupation in life. No one fixed or established course shall be taken by all scholars, this being in the discretion of the Managers, bearing in mind that the main object in view is to train young men to useful trades and occupations, so that they can earn their own livelihood. Each and every scholar shall be required to learn, and be thoroughly instructed in some occupation or mechanical trade, so that when he leaves the School on the completion of the period for which he is to remain, he may be able to support himself.

The Managers shall determine the several kinds of mechanical trades to be taught, and the determination of the particular one that shall be taught to and acquired by each scholar,—the taste, capacity, intelligence, and adaptability of each scholar being ascertained and considered before assigning him to any

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particular trade; one of the objects of the School being to teach and instruct in agriculture, horticulture, and gardening, each orphan admitted to the School shall at such time or times as may be required, do such work upon the farms as may suit his capacity and ability.

18. The School shall be non-sectarian, but the moral and religious training of the scholars shall be properly looked after and cared for by the Managers. No favoritism shall be shown by the Managers to any particular sect or creed. Each scholar shall be taught to speak the truth at all times, and each and every scholar shall be thoroughly trained to habits of economy, and industry.

19. All the advantages and benefits to be derived by the scholars under this deed, shall be in every respect gratuitous, and under no circumstances shall any charge be made to any scholar, or any fees, rewards, or other compensations be accepted by the Managers from or on account of any scholar.

20. If, in the opinion of the Managers, any orphan admitted to the School should become incompetent to learn, or to master a trade, or from physical ailments it would be inexpedient for him to continue his studies and training, or become insubordinate, or be guilty of vice or crime, or become an unfit companion for the others, or has so conducted himself as not worthy of future and continued support and education, or is so competent to work at his chosen trade, that he is qualified to be self-supporting, he may be removed or expelled from the School by the Managers, and all indentures, releases, or other acquittances, shall be so drawn as to permit this to be done. The decision of the Managers as to whether a scholar deserves re-

moval or expulsion, shall be final and conclusive upon the subject. The Managers may cancel the indentures, releases, or acquittances, of any orphan, dismiss him from their care, and remove him from the School for any reason which in their judgment is good and sufficient.

21. All orphans shall leave the institution and cease to be the recipients of its benefits on the arrival at the age of eighteen years.

The Managers may in their discretion provide for such a system of premiums and rewards dependent upon good behavior, character, and proficiency, as shall enable those of the scholars entitled to its benefits to receive from the Managers, when they leave the School at the full expiration of their term, a sum of money not exceeding one hundred dollars to any one scholar, which sum of money shall be paid by the Managers out of any of the moneys received by them as income of the School, or the Managers may, out of the income, if sufficient for the purpose, before or after the arrival of the scholar at the age of eighteen, provide for or contribute toward the further education of the scholar at some other school, college, or university.

22. All moneys received by the Managers from the sale of products, stock, material, or manufactured articles, or from any source other than those hereinabove described, shall be paid to the Trustee, and expended for the same purposes as are hereinabove prescribed and directed for the expenditure of the income.

23. The Managers shall at all times keep full and accurate statements, in books to be provided by them for the purpose, of all orphans entering, remaining in, and leaving the School, showing their several

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names, parentage, birthplaces, ages, admission, and departure, and designation of trade learned; and so far as any information upon the subject can readily and without unnecessary expense be obtained, the Managers shall cause a record to be kept and preserved of the residence, occupation, condition, and success in life of all scholars who have fully completed their term, for a period of ten years after their departure from the School.

24. The Managers shall at all times keep books and accounts of the financial condition of the farms and Schools, showing the amount and value of all real and personal property belonging thereto, and exhibiting in detail all receipts and disbursements.

In the month of September of each year the Managers shall make a report of the operations of the farms and School for the year ending with the preceding thirty-first day of July, showing the receipts and expenditures of the Managers and the operations of the farms and School during the year. The report must include a statement showing the exact financial condition of the farms, and School at the end of the year, and an inventory and valuation of all the property, stock, implements, machinery, tools, apparatus, and shall be accompanied by other information of the condition of the School, the number of scholars, which the Managers may desire to give, and a copy of said report, signed by the Managers, shall be delivered by the Managers to the Trustee, in the said month of September, and be filed and preserved by the Trustee among the records of its trust.

25. Should any one or more of the individual Managers hereinabove appointed, die, resign, or become incapacitated to act, or decline or refuse to act, his,

or their place or places shall be filled by an appointment to be made by the Trustee, from the members of its own Board of Directors, and any vacancy occurring at any time in the number of Managers by any of the above causes, or otherwise howsoever, whether among the Managers herein appointed, or among those that may be selected to fill a vacancy as herein prescribed, or among their successors to be appointed as aforesaid, shall be filled by an appointment to be made by the Trustee, from the members of its own Board of Directors. The Trustee may at any time hereafter revoke the appointment of any person or persons herein designated as Managers, or of those who become their successors, and remove such person or persons from the Managers, and thereafter the person or persons whose appointment is revoked shall no longer exercise the duties of the appointment; the vacancy or vacancies so created shall be filled by an appointment to be made by the Trustee in the manner hereinabove described from the members of its own Board of Directors. The Managers and the Trustee may at any time hereafter increase the number of Managers to such a number as they may determine, not greater than the membership of the Board of Directors of the Trustee.

26. The Managers shall annually elect one of their number as Chairman. The person acting at the time as Treasurer to the Trustee shall be Treasurer of the Board of Managers. They shall appoint a Secretary, and prescribe the duties of the Treasurer and Secretary. The Treasurer shall give bond with good surety in such penal sum as the Managers shall determine, conditioned for the faithful performance of his duties. The offices of Treasurer and Secretary may be filled by one person, and in case of vacancy in the offices

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of Chairman or Secretary at any time, the Managers shall elect a successor to fill the vacancy. The Managers shall notify the Trustee in writing of their organization, and of the election of Chairman and Secretary, and of any changes in either office as the same may occur. The assent of a majority of the Managers shall be necessary for the approval of any act.

27. All and several the trusts herein created and declared shall be held in perpetuity.

28. If in the opinion of the Managers it may be advantageous and convenient that they should be incorporated, and as a corporation hold and exercise the trusts herein created and directed to be held and exercised by the Managers as individuals, the Managers shall have full power and authority at their option to apply for and obtain and take corporate powers and become a corporation under the laws of the State of Pennsylvania existing at the time of the application for such corporate powers: Always provided however, and subject to the following express conditions, viz.:—that the said corporation shall hold its charter in perpetuity, that it shall be called “The Hershey Industrial School”, that the Managers holding the trust at the time of the granting of the charter, shall be the sole incorporators and managers of said corporation; that the rights and powers to fill vacancies in their numbers as such incorporators and managers, be subject to the same restrictions as are hereinabove given and imposed in cases of vacancies among the individual managers, and that the said corporation, under and by virtue of the law or laws of the Commonwealth of Pennsylvania existing at the time of its creation, shall have full and complete legal authority to take and execute the trusts hereinabove

created and intended to be exercised and held by the Managers as individuals, to exercise and enjoy as such corporation all the trusts herein created to be exercised and enjoyed by the said individual Managers, with all the powers and authorities, and under and subject to all the conditions, restrictions, and limitations as are herein given, granted, created, prescribed, and declared of and concerning the said trusts to be held and exercised by the said individual Managers; and upon such corporation being formed as aforesaid, it, the said corporation, by name shall thenceforth hold and enjoy all the trusts hereinabove declared and created and intended to be held and exercised by the individual Managers aforesaid, and be and become the successors in the trust of the said Managers. And upon said corporation being formed as aforesaid, the said Managers shall forthwith give notice thereof in writing to the Trustee, and thereafter the said corporation shall be consulted by the Trustee in the matter of the sale and purchase of securities and have the same power and authority in the matter of the sale and purchase of securities and investments and reinvestments, and in all other matters, as is given to the Managers under this deed; and the said corporation shall thenceforth be entitled to receive from the Trustee, and the Trustee shall pay over to the corporation, all moneys which by this deed are hereinabove directed to be paid by the Trustee to the Managers, and the corporation shall take, receive and hold the said money subject to all the trusts and confidences hereinabove declared of and concerning the same with like effect to all intents and purposes as if the said corporation had been named in this deed instead of the Managers hereinabove named.

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IN WITNESS WHEREOF the parties of the first part hereto have hereunto set their hands and affixed their seals this fifteenth day of November, in the year of our Lord one thousand nine hundred and nine.

MILTON S. HERSHEY (SEAL)

CATHERINE S. HERSHEY (SEAL)

Signed, sealed and delivered in
the presence of:

H. C. TUXBURY

E. E. YUNGE

STATE OF NEW YORK }
COUNTY OF NEW YORK } ss:

On the 15th day of November A.D. 1909, before me, a Notary Public of the State of New York, residing in New York City, personally appeared the within-named Milton S. Hershey and Catharine S. Hershey, his wife, and in due form of law acknowledged the within deed to be their and each of their act and deed, and desired the same might be recorded as such; and the said Catharine S. Hershey being of full age, and separate and apart from her said husband by me thereon privately examined, and the full contents of the within deed being by me first made known unto her, did thereupon declare and say that she did voluntarily and of her own free will and accord, sign, seal, and as her act and deed, deliver the within-written Indenture, Deed or Conveyance, without any coercion or compulsion of her said husband.

WITNESS my hand and official seal the day and year aforesaid.

[SEAL]

H. C. TUXBURY
Notary Public 530
N. Y. COUNTY

My commission expires March 30, 1910.

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The Hershey Trust Company of Hershey, in the County of Dauphin, Pennsylvania, hereby accepts the trusts declared in the above deed on its part to be observed, kept, and performed.

IN WITNESS WHEREOF the Hershey Trust Company has hereunto affixed its corporate seal duly attested at Hershey, Pa., this fourteenth day of April A. D. 1910.

[CORPORATE
SEAL]

MILTON S. HERSHEY, *President*,
S. C. STECHER, *Secretary*.

We hereby accept the trusts declared in the above deed on our part to be observed, kept, and performed.

IN WITNESS WHEREOF we have hereunto set our hands and affixed our seals this fourteenth day of April A. D. 1910.

MILTON S. HERSHEY	(SEAL)
WM. H. LEBKICHER	(SEAL)
JNO. B. CURRY	(SEAL)
J. A. LANDIS	(SEAL)
GEO. M. HOCKER	(SEAL)
A. W. STAUFFER	(SEAL)
JOHN E. SNYDER	(SEAL)
ISRAEL MOYER	(SEAL)
U. G. RISSER	(SEAL)

DEED OF TRUST (1909)

ENDORSEMENTS

BY RECORDER OF DEEDS:

No. 3121

July 7, 1910

STATE OF PENNSYLVANIA, }
DAUPHIN COUNTY. } ss:

Recorded in the Office for Recording of Deeds, &c.
in and for the County of Dauphin, in Deed Book E.
Vol. 14 page 331 &c.

WITNESS my hand and seal of office this 7th day of
July Anno Domini 1910.

WILLIAM A. McILHENNY,
Recorder.

[RECORDER'S SEAL]

Modification of Deed of Trust

October 30, 1933

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

IN RE

PETITION OF THE HERSHEY	}	EQUITY DOCKET No. 1096
INDUSTRIAL SCHOOL FOR		
MODIFICATION OF TRUST.		

PETITION FOR MODIFICATION OF TRUST

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The petition of The Hershey Industrial School, a nonprofit corporation of the Commonwealth of Pennsylvania, by leave of Hon. William A. Schnader, Attorney General, on the relation of your petitioner, respectfully represents:

1. By deed of trust dated the fifteenth day of November, 1909, and recorded in the office for the recording of deeds, etc. in and for Dauphin County, Pennsylvania, in Deed Book E, Vol. 14, page 331, a copy of which deed of trust is hereto attached, marked "Exhibit A" and made a part hereof, Milton S. Hershey and Catharine S. Hershey, his wife, of Hershey, Derry Township, Dauphin County, Pennsylvania, granted and conveyed certain farms, situated in Derry Township aforesaid, in the deed of trust more particularly described, unto the Hershey Trust Company as trustee, and constituted M. S. Hershey, W. H. Lebkuicher, John B. Curry, John A. Landis, George

DEED OF TRUST
Modification (1933)

M. Hocker, A. W. Stauffer, John E. Snyder, Israel Moyer and U. G. Risser, and their successors, Managers, for the purpose of founding and endowing in perpetuity an institution to be known as "The Hershey Industrial School," for the maintenance, education and training of orphan boys, subject to certain trusts and conditions in the deed of trust set forth.

2. The said Catharine S. Hershey, at the time of the execution of the deed of trust, was possessed of no beneficial interest in the property conveyed thereby, other than her inchoate right of dower, and joined in the deed for the sole purpose of releasing her dower right. The said Catharine S. Hershey has since, to wit, on the 25th day of March, 1915, died.

3. Pursuant to the provisions of the deed of trust, The Hershey Industrial School was established on or about the third day of September, 1910; and was conducted and managed by said Managers and their successors as an unincorporated school for the purposes and subject to the conditions in the deed of trust set forth, until the thirtieth day of December, 1919.

4. On the thirtieth day of December, 1919, your Honorable Court entered a decree incorporating the Managers and their successors as a corporation of the first class, under and subject to the provisions of the Act of Assembly approved the 29th day of April, 1874, entitled "An act to provide for the incorporation and regulation of certain corporations," under the name and style of "The Hershey Industrial School," your petitioner herein. The charter granted to your petition is recorded in the office for the recording of deeds, etc. aforesaid, in Charter Book L, page 282, etc. A copy thereof is attached hereto, marked "Exhibit B" and made a part hereof.

DEED OF TRUST
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5. Upon its incorporation, your petitioner took over the control and management of the school and has since and is now conducting the same as contemplated by, and under the conditions and limitations contained in, the deed of trust.

6. At the time of, and from time to time subsequent to, the establishment of the school, Milton S. Hershey has transferred sums of money, securities and other personal property to the Hershey Trust Company, trustee as aforesaid, as gifts for the endowment of the school, under and subject to the trusts and conditions in the deed of trust contained. All the property, real and personal, owned, possessed or held in trust for your petitioner was given to the school by Milton S. Hershey, or has accrued from property so given. No gifts to the school have been made by any other person, copartnership, association or corporation.

7. Until the present time, a large part of the income from the gifts and endowment has been expended for the erection of additional buildings and for the purchase of furnishings and equipment in order to extend and enlarge the facilities of the school for the accommodation of a greater number of students. The program of extension, enlargement and improvement will soon be completed; and, when completed, the facilities of the school will be adequate to accommodate many more boys than are now available under the restrictions of the deed of trust, and the income from the endowment will no longer be needed for such enlargement and improvement, but must be expended for the primary purposes expressed in the deed of trust.

8. The present yearly income from the endowment of the school is approximately \$1,675,000.00. By the

DEED OF TRUST
Modification (1933)

terms of the deed of trust, the use of the income is restricted to the operation of the school, and to lodge, feed, clothe, educate and instruct in trades, poor, healthy, white, male orphans between the ages of four and eighteen, whose fathers are deceased.

9. The deed of trust provides, inter alia, as follows:

“13. The institution shall be organized as soon as practicable, and when prepared to receive orphans, the managers shall from time to time receive and admit to the School as many poor, healthy, white, male orphans, of such ages between four and eight 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, others shall be admitted. The term orphan in this deed designates a child whose father is deceased.”

As restricted in the deed of trust, the income is greatly in excess of what is required and can be used for said purposes; and, unless the terms and conditions of the trust may be modified, the income must be permitted to accumulate, and your petitioner will not be permitted to expend the same.

10. The experience of the Managers of your petitioner, and of the Managers constituted by the deed of trust, prior to the incorporation of your petitioner, over the period of years the school has been operated, is that the restriction for admission to the school to boys between four and eight years is too limited to best serve the purposes of the school, because of the fact that many mothers endeavor to keep their father-

DEED OF TRUST
Modification (1933)

less boys with them as long as possible, and do not realize they are unable to do so until the boys have passed the age of eight, and, under the terms of the deed of trust are no longer eligible for admission to the school. The Managers of your petitioner believe, and so recommend, the age for admission to the school should be extended to fourteen years.

11. The experience of the Managers, as aforesaid, has also shown that in a great many instances boys whose fathers are living, but whose mothers are deceased, are in far greater need of the advantages of the school than boys whose fathers are deceased. The Managers of your petitioner believe, and so recommend, that boys otherwise qualified whose mothers are deceased should be admitted to the school, even though their fathers may be living.

12. The Managers of your petitioner are advised the general intention of the donor expressed in the deed of trust is the maintenance and education of healthy, normal, needy, orphan boys between the ages of four and eighteen, and believe if the modifications in the trust provisions hereinbefore recommended and set forth are permitted, a sufficient number of additional boys, coming within the purview of said general intention, could be admitted to the school so as to utilize all the available facilities of the school and to enable your petitioner to expend the entire income from the endowment for the purpose of carrying out the general intent of the trust.

13. The Managers of your petitioner further believe, and so recommend, that the purposes of the trust and the best interests of the school would be served by a provision in the trust that no person employed by the school, in any capacity in connection with which any

DEED OF TRUST
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compensation or expenses are directly or indirectly paid, be permitted at the same time to serve as a member of the Managers.

14. The names and addresses of the members of the present Managers, successors to the Managers constituted by the deed of trust, are:

<i>Name</i>	<i>Address</i>
M. S. HERSHEY	Hershey, Pa.
EZRA F. HERSHEY . . .	Hershey, Pa.
WM. F. R. MURBIE . .	Hershey, Pa.
JOHN E. SNYDER	Hershey, Pa.
P. A. STAPLES	Hershey Central, Cuba.
S. C. STECHER	Hummelstown, Pa.

All said persons have had notice of the presentation of this petition, and join in the prayer thereof.

15. Notice of the presentation of this petition has been given to Milton S. Hershey, the grantor in the deed of trust and donor of all the property, real and personal, of your petitioner or held in trust for it; the said Milton S. Hershey has, by writing hereunto attached and made a part hereof, made declaration of his intention in connection with the establishment of the charity, and has joined in the prayer of this petition.

16. Notice of the presentation of this petition has been given to the Hershey Trust Company, trustee under the deed of trust; the said trustee has joined in the prayer thereof.

Wherefore your petitioner, willing to become responsible for the costs of this proceeding, prays:

First. That your Honorable Court by its decree carry into effect the intent of the donor as expressed by him, so far as the same can be carried into effect consistently with law or equity.

DEED OF TRUST
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Second. That your Honorable Court authorize and direct the Managers of your petitioner from time to time to receive and admit to The Hershey Industrial 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, in accordance with the provisions of the deed of trust.

Third. That your Honorable Court order and direct that 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 your petitioner.

Fourth. Such general relief in the premises as to your Honorable Court may appear necessary and expedient.

And it will ever pray, etc.

THE HERSHEY INDUSTRIAL SCHOOL,

By MILTON S. HERSHEY,

Chairman of the Managers.

Attest: S. C. STECHER

[SEAL] *Secretary.*

JOHN E. SNYDER

Attorney for Petitioner.

DEED OF TRUST
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COMMONWEALTH OF PENNSYLVANIA, } ss:
COUNTY OF DAUPHIN.

S. C. Stecher, being duly sworn, deposes and says he is the secretary of The Hershey Industrial School, the above petitioner, and as such is authorized to make this affidavit in its behalf; that the facts set forth in the foregoing petition are true.

S. C. STECHER,

Sworn to and subscribed
before me this 27th day
of October, A. D., 1933.

JOSEPH MASTROSATI,
[SEAL] Notary Public.

My commission expires February 1, 1937.

Exhibit A—See pages 5 to 25 inclusive.

Exhibit B—See pages 56 to 60 inclusive.

PERMISSION AND CONSENT OF ATTORNEY
GENERAL

AND NOW, this 27th day of October, 1933, the above petition is hereby approved, and leave is granted to present the same to the Court of Common Pleas of Dauphin County, Pennsylvania, and I hereby waive notice of any further proceedings and consent to any decree the Court may make.

W. A. SCHNADER,
Attorney General.

**DECLARATION OF INTENT AND JOINDER OF
MILTON S. HERSHEY**

The undersigned, Milton S. Hershey, donor of all the property and assets of The Hershey Industrial School, and grantor in a certain deed of trust, dated the fifteenth day of November, 1909, recorded in the office for the recording of deeds in and for Dauphin County, Pennsylvania, in Deed Book E, Vol. 14, page 331, between Milton S. Hershey and Catharine S. Hershey, his wife, of Hershey, Derry Township, Dauphin County, Pennsylvania, parties of the first part, the Hershey Trust Company of the same place, designated as Trustee, party of the second part, and M. S. Hershey, of Hershey; W. H. Lebkicher and John E. Snyder, of Lancaster; John B. Curry and A. W. Stauffer, of Swatara; John A. Landis, of Manada Hill; George M. Hocker, of Union Deposit; Israel Moyer, of Derry Church; and U. G. Risser, of Campbelltown, Pennsylvania, designated as Managers, parties of the third part, pursuant to, and subject to the trusts, conditions and limitations of which deed of trust The Hershey Industrial School was established, is conducted and maintained, hereby declares in establishing the school and creating the trust it was his purpose and intention to provide for the maintenance and education of healthy, normal, needy orphan boys between the ages of four and eighteen; that at the time of creating the trust, it was his opinion this general purpose and intention would be best served and carried out by limiting admissions to the school to boys between the ages of four and eight, and to boys whose fathers were deceased; that from experience gained in serving as Chairman of the Managers of the school during the period from its estab-

DEED OF TRUST
Modification (1933)

lishment until the present time, he has learned in the case of a great many boys for whose benefit the advantages of the school were intended, their mothers will not permit them to enter the school until they have passed the age of eight years and thereby have become ineligible for admission, although still within the class for which the school was intended, and, in a great many cases boys whose fathers are living, but whose mothers are deceased, are in far greater need of the advantages of the school than boys whose fathers are deceased, and furthermore, the purpose of the trust and the best interests of the school would be served by not permitting any person employed by the school, in any capacity in connection with which any compensation or expenses are directly or indirectly paid, to at the same time serve as a member of the Managers of the school.

The said Milton S. Hershey acknowledges he has had notice of the presentation of the foregoing petition, and joins in the prayer thereof.

MILTON S. HERSHEY.

JOINDER OF TRUSTEE AND MANAGERS

The undersigned, Hershey Trust Company, Trustee,
and

M. S. HERSHEY,

JOHN E. SNYDER,

EZRA F. HERSHEY,

P. A. STAPLES,

WM. F. R. MURRIE,

S. C. STECHER,

Managers of The Hershey Industrial School under the deed of trust dated the fifteenth day of November, 1909, recorded in the office for the recording of deeds in and for Dauphin County, Pennsylvania, in Deed Book E, Vol. 14, page 331, between Milton S. Hershey and Catharine S. Hershey, his wife, of Hershey,

DEED OF TRUST
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Derry Township, Dauphin County, Pennsylvania, parties of the first part, the Hershey Trust Company of the same place, designated as trustee, party of the second part, and M. S. Hershey, of Hershey; W. H. Lebkicher and John E. Snyder, of Lancaster; John B. Curry and A. W. Stauffer, of Swatara; John A. Landis, of Manada Hill; George M. Hocker, of Union Deposit; Israel Moyer, of Derry Church; and U. G. Risser, of Campbelltown, Pennsylvania, designated as Managers, parties of the third part, hereby each acknowledge they have been given notice of the presentation of the foregoing petition, and each joins in the prayer thereof.

HERSHEY TRUST COMPANY, *Trustee.*

By MILTON S. HERSHEY,
President.

[SEAL]

Attest: S. C. STECHER,
Secretary.

MILTON S. HERSHEY
EZRA F. HERSHEY
WM. F. R. MURRIE

JOHN E. SNYDER
P. A. STAPLES
S. C. STECHER
Managers.

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

DEED OF TRUST
Modification (1933)

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.

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.

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.

MARION T. ANDERSON,
Recorder.

[RECORDER'S SEAL]

Modification of Deed of Trust

December 17, 1951

IN THE ORPHANS' COURT OF DAUPHIN
COUNTY, PENNSYLVANIA

IN RE

PETITION OF THE HERSHEY
INDUSTRIAL SCHOOL FOR
MODIFICATION OF TRUST.

No. 824—1951.

PETITION FOR MODIFICATION OF TRUST

TO THE HONORABLE, THE JUDGE OF SAID COURT:

The petition of The Hershey Industrial School, a nonprofit corporation of the Commonwealth of Pennsylvania, by leave of Hon. Robert E. Woodside, Attorney General, on the relation of your petitioner, respectfully represents;

1. By deed of trust dated the fifteenth day of November, 1909, and recorded in the office for the recording of deeds, etc. in and for Dauphin County, Pennsylvania, in Deed Book E, Vol. 14, page 331, a copy of which deed of trust is set forth on pages 3 to 22 inclusive of the document hereto attached marked Exhibit "A" and is made a part hereof, Milton S. Hershey and Catharine S. Hershey, his wife, of Hershey, Derry Township, Dauphin County, Pennsylvania, granted and conveyed certain farms, situated in Derry Township aforesaid, in the deed of trust more particularly described, unto Hershey Trust Company, as trustee, and constituted M. S. Hershey, W. H. Lebkicher, John B. Curry, John A. Landis, George M.

DEED OF TRUST
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Hocker, A. W. Stauffer, John E. Snyder, Israel Moyer and U. S. [G.] Risser, and their successors, Managers, for the purpose of founding and endowing in perpetuity an institution to be known as "The Hershey Industrial School", for the maintenance, education and training of orphan boys, subject to certain trusts and conditions in the deed of trust set forth.

2. The said Catharine S. Hershey, at the time of the execution of the deed of trust, was possessed of no beneficial interest in the property conveyed thereby, other than her inchoate right of dower, and joined in the deed for the sole purpose of releasing her dower right.

3. Pursuant to the provisions of the deed of trust, The Hershey Industrial School was established on or about the third day of September, 1910; and was conducted as an unincorporated school for the purposes and subject to the conditions in the deed of trust set forth, until the thirtieth day of December, 1919.

4. Section 28 of said deed of trust was as follows:

"If in the opinion of the Managers it may be advantageous and convenient that they should be incorporated, and as a corporation hold and exercise the trusts herein created and directed to be held and exercised by the Managers as individuals, the Managers shall have full power and authority at their option to apply for and obtain and take corporate powers and become a corporation under the laws of the State of Pennsylvania existing at the time of the application for such corporate powers. *Always provided however, and subject to the following express conditions, viz.:—that the said corporation shall hold*

DEED OF TRUST
Modification (1951)

its charter in perpetuity; that it shall be called 'The Hershey Industrial School'; that the Managers holding the trust at the time of the granting of the charter, shall be the sole incorporators and managers of said corporation; that the rights and powers to fill vacancies in their numbers as such incorporators and managers, be subject to the same restrictions as are hereinabove given and imposed in cases of vacancies among the individual managers, and that the said corporation, under and by virtue of the law or laws of the Commonwealth of Pennsylvania existing at the time of its creation, shall have full and complete legal authority to take and execute the trusts hereinabove created and intended to be exercised and held by the Managers as individuals, to exercise and enjoy as such corporation all the trusts herein created to be exercised and enjoyed by the said individual Managers, with all the powers and authorities, and under and subject to all the conditions, restrictions, and limitations as are herein given, granted, created, prescribed, and declared of and concerning the said trusts to be held and exercised by the said individual Managers; and upon such corporation being formed as aforesaid, it, the said corporation, by name shall thenceforth hold and enjoy all the trusts hereinabove declared and created and intended to be held and exercised by the individual Managers aforesaid, and be and become the successors in the trust of the said Managers. And upon said corporation being formed as aforesaid, the said Managers shall forthwith give notice thereof in writing to the Trustee, and thereafter the said corporation shall be consulted by the Trustee in the matter of the

DEED OF TRUST
Modification (1951)

sale and purchase of securities, and have the same power and authority in the matter of the sale and purchase of securities and investments and reinvestments, and in all other matters, as is given to the Managers under this deed; and the said corporation shall thenceforth be entitled to receive from the Trustee, and the Trustee shall pay over to the corporation, all moneys which by this deed are hereinabove directed to be paid by the Trustee to the Managers, and the corporation shall take, receive and hold the said money subject to all the trusts and confidences hereinabove declared of and concerning the same with like effect to all intents and purposes as if the said corporation had been named in this deed instead of the Managers hereinabove named." (Italics supplied.)

5. On the thirtieth day of December, 1919, the Court of Common Pleas of Dauphin County entered a decree incorporating the Managers and their successors as a corporation of the first class, under and subject to the provisions of the Act of Assembly approved the 29th day of April, 1874, entitled "An act to provide for the incorporation and regulation of certain corporations," under the name and style of "The Hershey Industrial School," your petitioner herein. The charter granted to your petitioner is recorded in the office for the recording of deeds, etc. aforesaid, in Charter Book L, page 282, etc. A copy of said charter and of the related decree of the Court of Common Pleas is set forth on pages 23 to 27, inclusive, of the document attached hereto, marked "Exhibit A" and is made a part hereof. Upon its incorporation, your petitioner took over the trusts, powers and authorities

DEED OF TRUST
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theretofore held by the individual Managers, all as contemplated by, and under the conditions and limitations contained in, said deed of trust.

6. Said charter was amended in 1933 by Articles of Amendment approved by the Department of Welfare of the Commonwealth of Pennsylvania and by decree of the Court of Common Pleas of Dauphin County. A copy of such Articles of Amendment, the consent of the Managers thereto, the approval of said Department of Welfare and the related decree of the Court of Common Pleas is set forth on pages 28 to 36, inclusive, of the document attached hereto, marked "Exhibit A", and is made a part hereof. In connection with such amendment there was a related modification of said deed of trust by decree of the said Court of Common Pleas. A copy of petitioner's petition for such modification, the permission and consent of the Attorney General, the declaration of intent and joinder of said Milton S. Hershey therein, the joinder of the Trustee and Managers therein, and of the decree of the Court of Common Pleas is set forth on pages 37 to 48, inclusive, of the document attached hereto, marked "Exhibit A" and is made a part hereof.

7. Approximately 1,100 orphan boys are now admitted to and in attendance at the school conducted pursuant to said deed of trust, as thus modified, and pursuant to said Articles of Incorporation of petitioner, as thus amended.

8. At the time of, and from time to time subsequent to, the establishment of the school, said Milton S. Hershey has transferred sums of money, securities and other personal property to Hershey Trust Company, trustee as aforesaid, as gifts for the endowment of the school, under and subject to the trusts and condi-

DEED OF TRUST
Modification (1951)

tions in the deed of trust, or said deed of trust as modified as aforesaid, contained. Substantially all of the property, real or personal, owned, possessed or held in trust for your petitioner was given, or has accrued from property given, to Hershey Trust Company, trustee as aforesaid, by *inter vivos* gifts from said Milton S. Hershey. The only other property given to said Hershey Trust Company, as trustee aforesaid, or to petitioner consists of (a) a bequest under the last will and testament of said Milton S. Hershey, who died on October 13, 1945, of 346 shares of capital stock of Hershey Trust Company, having an aggregate appraised value as of the time of his death of \$43,250; (b) a devise under the last will and testament of John E. Snyder, who died December 20, 1934, of his residence property in Hershey, Pennsylvania, such property having an appraised value as of the time of his death of \$30,000; and (c) a devise under the last will and testament of Mary Amos, who died June 21, 1947, of her residence property in Bedford County, Pennsylvania, such property having a fair value of not exceeding \$2,500. No property has been given to Hershey Trust Company, as trustee aforesaid, or to petitioner, by any person who is now living.

9. Your petitioner believes and states that, in including the words "Industrial School" as a component of the name designated in said deed of trust as the name of the school and as the corporate name of petitioner, said Milton S. Hershey had in mind the purpose of the school, as stated in Section 17 of the deed of trust, to train orphan boys in useful trades which would be the means of their future support and merely deemed that the words "Industrial School" provided an apt term to describe such purpose.

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10. Within the last twenty years, however, the words "Industrial School" have been frequently used in the official names of state and local governmental correctional institutions or reformatories for delinquent or criminal boys and girls. In the State of Pennsylvania there are at least two such institutions, viz., Pennsylvania Industrial School, at Camp Hill, and The Luzerne County Industrial School for Boys, at Kis-Lyn. Two other correctional institutions in Pennsylvania have the name "Industrial" as part of their official names, viz., State Industrial Home for Women, at Muncy and Boys Industrial Home of Western Pennsylvania, at Oakdale. In at least thirteen other states of the United States, viz., Alabama, Arizona, Arkansas, Colorado, Florida, Idaho, Kansas, Montana, New Hampshire, New Mexico, South Carolina, Utah, and West Virginia, the only correctional institutions for delinquent boys conducted by state authorities have the words "Industrial School" as part of their official name. In six other states, viz., Louisiana, Massachusetts, New York, North Carolina, Ohio and Virginia, there is at least one such institution so named. As a result of the widespread adoption of the words "Industrial School" in the names of correctional or reformatory institutions there is a widespread, although erroneous, impression held by substantial numbers of persons that *every* "Industrial School" is, or should be assumed to be, a correctional or reformatory institution and that boys who attend an "Industrial School" must have been committed thereto by reason of some crime or delinquency. As a result of such public misconception, The Hershey Industrial School is, or may be, erroneously believed by a substantial segment of the population to be a correctional or reformatory institution and the orphan boys

who are, or have been, students at the school are, or may be, erroneously believed by a substantial segment of the population to have been guilty of some crime or delinquency. Thus the boys who are or have been admitted to the school are, or may be, seriously handicapped both while at the school and in their subsequent careers. Thus the name designated by the founder, Milton S. Hershey, in the deed of trust executed November 15, 1909, has, through a change in conditions not foreseen by the founder, operated to defeat or prejudice his general intent and purpose to benefit the orphans admitted to the school.

11. Your petitioner and the Managers thereof therefore recommend that the name of the school and the corporate name of petitioner be changed. They have considered numerous alternative names and recommend the name "Milton Hershey School" as the most desirable alternative name. Such name complies with Section 202 of Article II of the Nonprofit Corporation Law.

12. Your petitioner and the Managers thereof propose, in the event your Honorable Court shall grant the relief prayed for by this petition, to amend the Articles of Incorporation of petitioner as follows:

(a) Clause 1 of the Articles of Incorporation to be amended to read:

"1. The name of the corporation shall be 'Milton Hershey School'."

(b) Clause 2 of the Articles of Incorporation (as heretofore amended by Articles of Amendment dated September 30, 1933, and recorded in the office for the recording of deeds, etc., in and for the County of Dauphin in Charter Book "P", at page 658) to be amended to read:

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“2. The purposes for which the corporation is formed are as follows:

To establish and provide a permanent, non-sectarian institution for the residence, physical and moral welfare, maintenance, support and education of poor, healthy, white, male orphans (an orphan being a child whose father or mother is deceased) between the ages of four and eighteen years, for their instruction in useful trades and occupations, and to make provisions for their further education, before or after their arrival at the age of eighteen years, at some other school, college, or university, all of which, except as in these articles otherwise provided, shall be done according to the provisions of a Deed of Trust, executed by Milton S. Hershey, and Catharine S. Hershey, his wife, to the Hershey Trust Company, Trustee, dated November 15, 1909, recorded in the Recorder's Office in and for the County of Dauphin, Pennsylvania, in Deed Book “E”, Vol. 14, page 331, a copy of which Deed of Trust is attached to and made a part of the original Articles of Incorporation.

Provided that the said institution shall be known as ‘Milton Hershey School’.”

(c) Clause 9 of the Articles of Incorporation, as added by the above mentioned Articles of Amendment dated September 30, 1933, to be amended by changing the words “The Hershey Industrial School” to read “Milton Hershey School”, so that said Clause 9 as thus amended shall read:

“9. The Managers shall from time to time receive and admit to Milton Hershey School as many poor, healthy, white, male orphans, of such

DEED OF TRUST
Modification (1951)

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, others shall be admitted.”

The above proposed amendment to the Articles of Incorporation of petitioner would be effected only in compliance with applicable provisions of the Nonprofit Corporation Law, including the obtaining of the consent of the Department of Welfare of the Commonwealth of Pennsylvania and the obtaining of the approval of the Court of Common Pleas of Dauphin County.

13. The names and addresses of the present Managers, successors to the Managers constituted by said deed of trust, are:

<i>Name</i>	<i>Address</i>
T. R. Banks	Hershey, Pa.
J. E. Bobb	Hershey, Pa.
Wm. H. Earnest	Harrisburg, Pa.
J. J. Gallagher	Hershey, Pa.
P. N. Hershey	Lebanon, Pa.
Samuel F. Hinkle	Hershey, Pa.
J. B. Sollenberger	“ “
P. A. Staples	“ “
A. R. Whiteman	“ “
D. Paul Witmer	“ “
Chas. F. Ziegler	“ “

All said persons have had notice of the presentation of this petition, and join in the prayer thereof.

DEED OF TRUST
Modification (1951)

14. Notice of the presentation of this petition has been given to Hershey Trust Company, Trustee, under said deed of trust and said Trustee has joined in the prayer of this petition.

Wherefore your petitioner, willing to become responsible for the costs of this proceeding, prays:

First. That your Honorable Court by its decree direct that the trust established by said deed of trust, as heretofore modified as referred to in paragraph 6 of this petition, shall be further modified to permit, without otherwise affecting said trust, the name of the school referred to in said deed of trust, and the corporate name of petitioner, to be changed from "The Hershey Industrial School" to "Milton Hershey School".

Second. Such general relief in the premises as to your Honorable Court may appear necessary and expedient.

And it will ever pray, etc.

THE HERSHEY INDUSTRIAL SCHOOL

By P. A. STAPLES

Chairman of the Managers

Attest: ARTHUR R. WHITEMAN

[CORPORATE SEAL]

Secretary

EARNEST & TORCHIA

Attorneys for Petitioner

COMMONWEALTH OF PENNSYLVANIA } ss:
COUNTY OF DAUPHIN }

Arthur R. Whiteman, being duly sworn, deposes and says that he is the Secretary of The Hershey Industrial School, the above petitioner, and as such is au-

DEED OF TRUST
Modification (1951)

thorized to make this petition in its behalf; that the facts set forth in the foregoing petition are true.

ARTHUR R. WHITEMAN
Secretary

Sworn to and subscribed
before me this 12th day
of December, 1951

MABEL P. WILBAR
[SEAL] *Notary Public*

My commission expires Jan. 20, 1955.

NOTE:—Exhibit A consisted of a booklet containing on pages 3 to 22, inclusive, thereof a copy of the Deed of Trust set forth on page 5 to 25, inclusive, of this booklet; containing on pages 23 to 27, inclusive, thereof a copy of the charter and the related decree of the Court of Common Pleas set forth on pages 56 to 60, inclusive, of this booklet; containing on pages 28 to 36, inclusive, thereof a copy of the documents and decree set forth on pages 62 to 70, inclusive, of this booklet; and containing on pages 37 to 48, inclusive, thereof a copy of the petition, documents and decree set forth on pages 27 to 38, inclusive, of this booklet.

**PERMISSION AND CONSENT OF ATTORNEY
GENERAL**

AND NOW, this 12th day of December, 1951, the above petition is hereby approved, and leave is granted to present the same to the Orphans' Court of Dauphin County, Pennsylvania, and I hereby waive notice of any further proceedings and consent to any decree the Court may make.

ROBERT E. WOODSIDE
Attorney General

DEED OF TRUST
Modification (1951)

JOINDER OF TRUSTEE AND MANAGERS

The undersigned, Hershey Trust Company, trustee,
and

T. R. BANKS	SAMUEL F. HINKLE
J. E. BOBB	J. B. SOLLENBERGER
WM. H. EARNEST	P. A. STAPLES
J. J. GALLAGHER	A. R. WHITEMAN
P. N. HERSHEY	D. PAUL WITMER
CHAS. F. ZIEGLER	

Managers of The Hershey Industrial School under the amended deed of trust referred to in the foregoing petition, hereby each acknowledge they have been given notice of the presentation of the foregoing petition, and each joins in the prayer thereof.

HERSHEY TRUST COMPANY, *Trustee*
By P. A. STAPLES
President

Attest: ARTHUR R. WHITEMAN, *Secretary*,
[CORPORATE SEAL]

T. R. BANKS	SAMUEL F. HINKLE
J. E. BOBB	J. B. SOLLENBERGER
WM. H. EARNEST	P. A. STAPLES
J. J. GALLAGHER	A. R. WHITEMAN
P. N. HERSHEY	D. PAUL WITMER
CHAS. F. ZIEGLER	

DECREE

AND NOW, this 17th day of December, 1951, upon consideration of the foregoing petition, made by leave of the Attorney General of the Commonwealth of Pennsylvania, it appearing that it would be desirable to change the name of "The Hershey Industrial School" to "Milton Hershey School", which change

DEED OF TRUST
Modification (1951)

may be made without affecting any purpose for which the trust was created; it is therefore ordered, adjudged and decreed that the trust established by said deed of trust, as heretofore modified, is further modified to permit, without otherwise affecting said trust, the name of the school referred to in said deed of trust, and the corporate name of said petitioner, to be changed from "The Hershey Industrial School" to "Milton Hershey School".

BY THE COURT,
KARL E. RICHARDS
P. J.

ENDORSEMENTS

BY CLERK OF THE ORPHANS' COURT, DAUPHIN COUNTY,
PA.:

Filed December 17, 1951
Orphans' Court Docket X—3—P. 421

BY RECORDER OF DEEDS:

No. 3106
Received
Recorder's Office
Apr 17 10:20 A.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 152.

WITNESS my hand and seal of Office this 17th day of April, Anno Domini 1952.

MARION T. ANDERSON, *Recorder.*

[RECORDER'S SEAL]

CERTIFICATION BY RECORDER OF DEEDS

I,, Recorder of Deeds in and for Dauphin County, Pennsylvania, hereby certify:

(a) That the foregoing (pages 5 to 25 inclusive) is a true and correct copy of Deed of Trust dated November 15, 1909, between Milton S. Hershey and Catharine S. Hershey, his wife, of Hershey, Derry Township, Dauphin County, Pennsylvania, parties of the first part, and the Hershey Trust Company of the same place, designated as Trustee, party of the second part, and M. S. Hershey, of Hershey; W. H. Lebkicher and John E. Snyder, of Lancaster; John B. Curry and A. W. Stauffer, of Swatara; John A. Landis, of Manada Hill; George M. Hocker, of Union Deposit; Israel Moyer, of Derry Church, and U. G. Risser, of Campbelltown, Pennsylvania, designated as Managers, parties of the third part, recorded in the Office for Recording Deeds in and for Dauphin County, Pennsylvania, in Deed Book "E", Vol. 14, Page 331.

(b) That the foregoing Decree (pages 37 and 38) is a true and correct copy of Decree of the Court of Common Pleas of Dauphin County, Pennsylvania, entered October 30, 1933, approving the modification of the aforesaid Deed of Trust, which Decree was entered in the Court of Common Pleas of Dauphin County, Pennsylvania, to No. 1096 Equity Docket and recorded in the Office for Recording Deeds in and for Dauphin County, Pennsylvania, in Misc. Book "I", Vol. 7, page 136, on the 16th day of April, 1952.

(c) That the foregoing Decree (pages 52 and 53) is

CERTIFICATION BY RECORDER OF DEEDS

a true and correct copy of Decree of the Orphans' Court of Dauphin County, Pennsylvania, entered on December 17, 1951, approving the modification of the aforesaid Deed of Trust, which Decree was entered in the Orphans' Court of Dauphin County, Pennsylvania, to No. 824, Year of 1951, and recorded in the Office for Recording Deeds in and for Dauphin County, Pennsylvania, in Misc. Book "I", Vol. 7, Page 152, on the 17th day of April, 1952.

.....,
Recorder of Deeds of Dauphin County.

Dated

Certificate of Incorporation

December 30, 1919

IN THE COURT OF COMMON PLEAS OF
DAUPHIN COUNTY, PENNSYLVANIA

IN RE: APPLICATION FOR CHARTER
"THE HERSHEY INDUSTRIAL SCHOOL."

TO THE HONORABLE, THE JUDGES OF THE COURT OF COMMON PLEAS OF DAUPHIN COUNTY, PENNSYLVANIA:—

In compliance with the requirements of the Act of the General Assembly of the Commonwealth of Pennsylvania, entitled "An Act to provide for the incorporation and regulation of certain corporations", approved the 29th day of April, A. D. 1874, and the several supplements thereto, the undersigned, all of whom are citizens of Pennsylvania, having associated themselves together for the purposes and by the name hereinafter specified, and desiring that they may be duly incorporated according to law, do hereby certify:

1. The name of the intended corporation is "The Hershey Industrial School."

2. The purposes for which the said corporation is formed are as follows:—

To establish and provide a permanent, non-sectarian institution for the residence, physical and moral welfare, maintenance, support and education of poor, healthy, white, male orphans (an orphan being a child whose father is deceased) between the ages of four and eighteen years, for their instruction in useful

CERTIFICATE OF INCORPORATION (1919)

trades and occupations, and to make provision for their further education, before or after their arrival at the age of eighteen years, at some other school, college, or university, all of which shall be done according to the provisions of a Deed of Trust, executed by Milton S. Hershey and Catharine S. Hershey, his wife, to the Hershey Trust Company, Trustee, dated November 15, 1909, recorded in the Recorder's Office in and for the County of Dauphin, Pennsylvania, in Deed Book E, Vol. 14, Page 331, a copy of which Deed of Trust is hereto attached and made a part hereof.*

3. The business of the corporation is to be transacted at Hershey, in Derry Township, Dauphin County, Pennsylvania.

4. The corporation is to exist perpetually.

5. The income of the corporation from real and personal estate shall be of the clear yearly value of Fifty Thousand Dollars (\$50,000.00).

6. The names and residences of the subscribers are as follows:—

Wm. H. Lebkicher,	Hershey, Pennsylvania
Ezra F. Hershey,	Hershey, Pennsylvania
John A. Landis,	Manada Hill, Pennsylvania
J. B. Leithiser,	Hershey, Pennsylvania
Wm. F. R. Murrie,	Hershey, Pennsylvania
John E. Snyder,	Hershey, Pennsylvania
A. W. Stauffer,	Swatara Station, Pennsylvania
S. C. Stecher,	Hummelstown, Pennsylvania

7. The number of Managers is fixed at ten (10), and the names and residences of those who are chosen Managers for the first year are as follows:—

M. S. Hershey,	Hershey, Pennsylvania
Wm. H. Lebkicher,	Hershey, Pennsylvania

* See pages 5 to 25, inclusive.

CERTIFICATE OF INCORPORATION (1919)

Ezra F. Hershey, Hershey, Pennsylvania
John A. Landis, Manada Hill, Pennsylvania
J. B. Leithiser, Hershey, Pennsylvania
Wm. F. R. Murrie, Hershey, Pennsylvania
U. G. Risser, Campbelltown, Pennsylvania
John E. Snyder, Hershey, Pennsylvania
A. W. Stauffer, Swatara Station, Pennsylvania
S. C. Stecher, Hummelstown, Pennsylvania

8. The corporation has no capital stock.

WITNESS our hands and seals this fourth day of December, A. D. 1919.

WM. H. LEBKICHER (SEAL)
EZRA F. HERSHEY (SEAL)
JOHN A. LANDIS (SEAL)
J. B. LEITHISER (SEAL)
WM F. R. MURRIE (SEAL)
JOHN E. SNYDER (SEAL)
A. W. STAUFFER (SEAL)
S. C. STECHER (SEAL)

COMMONWEALTH OF PENNSYLVANIA, } ss:
COUNTY OF DAUPHIN.

Before me, a Notary Public in and for said State and County, residing at Hershey in said County, personally appeared Wm. H. Lebkicher, Ezra F. Hershey, and S. C. Stecher, three of the subscribers to the foregoing Certificate of Incorporation, who, in due form of law, acknowledged the same to be their act and deed, and the act and deed of their said associates, according to the Act of Assembly in such case made and provided.

CERTIFICATE OF INCORPORATION (1919)

IN WITNESS WHEREOF I have hereunto set my hand
and affixed my official seal this fourth day of December,
A. D. 1919.

[SEAL]

A. M. MOWERY,
Notary Public

My Commission expires end of next session of Senate.

CERTIFICATE OF INCORPORATION (1919)

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

DECREE

AND NOW, December thirtieth, 1919, the within Certificate of Incorporation having remained on file in the Office of the Prothonotary of this Court since the 6th day of December, 1919, being the day on which publication of notice of intended application was first made, as appears by the record, and due proof of said publication having been made, I do hereby certify that I have perused and examined said instrument, and find the same to be in proper form and within the purposes named in the first class of corporations, specified in Section 2, of the Act of Assembly of April 29, 1874, and that said purposes are lawful and not injurious to the community.

It is therefore ordered and decreed that the said Charter be, and the same is, hereby approved, and upon the recording of the same and its endorsements and this order in the Office of the Recorder of Deeds in and for the said County of Dauphin, Pennsylvania, the subscribers thereto and their associates and successors shall thenceforth be a corporation for the purposes and upon the terms and under the name therein stated.

GEORGE KUNKEL, *P. J.*

Judge

Attest:

CHARLES E. PASS

Prothonotary.

[SEAL OF COURT OF COMMON PLEAS,
OF DAUPHIN COUNTY, PA.]

CERTIFICATE OF INCORPORATION (1919)

ENDORSEMENTS

BY THE RECORDER OF DEEDS:

8561 Dec 30 1919

STATE OF PENNSYLVANIA, }
DAUPHIN COUNTY. } ss:

Recorded in the Office for Recording of Deeds, &c.
in and for the County of Dauphin, in Charter Book L,
Page 282, &c.

WITNESS my hand and seal of office this 30 day of
December, Anno Domini 1919.

JAMES E. LENTZ,
Recorder.

[RECORDER'S SEAL]

BY THE PROTHONOTARY:

567 Jan'y Term 1920

Filed Dec 6 1919

Articles of Amendment of Certificate of Incorporation

October 30, 1933

IN THE COURT OF COMMON PLEAS OF
DAUPHIN COUNTY, PENNSYLVANIA

IN RE

APPLICATION FOR ARTICLES
OF AMENDMENT OF THE AR-
TICLES OF INCORPORATION OF
THE HERSHEY INDUSTRIAL
SCHOOL.

No. 201
Sept. Term,
1933.

ARTICLES OF AMENDMENT

TO THE HONORABLE, THE JUDGES OF SAID COURT:

In compliance with the requirements of the Act of the General Assembly of the Commonwealth of Pennsylvania, commonly known as the "Nonprofit Corporation Law", approved the 5th day of May, 1933, The Hershey Industrial School, a nonprofit corporation of the Commonwealth of Pennsylvania, desiring to amend its Articles of Incorporation, does hereby certify:

1. The name of the corporation is "The Hershey Industrial School;" the location of its registered office is Hershey, Derry Township, Dauphin County, Pennsylvania.

2. The corporation was formed under the provisions of the Act of Assembly entitled "An Act to provide

CERTIFICATE OF INCORPORATION
Amendment (1933)

for the incorporation and regulation of certain corporations," approved the 29th day of April, A.D. 1874, and the several supplements thereto, by decree of your Honorable Court, dated the 30th day of December, A.D. 1919; the original Articles of Incorporation being recorded the 30th day of December, A.D. 1919, in the office for the recording of deeds, etc., in and for the County of Dauphin, in Charter Book "L", page 282, etc. A true copy thereof is hereunto attached, marked "Exhibit A", and made a part hereof.

3. The corporation has no members other than the persons constituting its Board of Managers, all of which persons have given their consent in writing to the proposed amendments, as appears from the written consents hereunto attached, marked "Exhibit B," and made a part hereof.

4. The corporation is desirous of amending its Articles of Incorporation in the following particulars, viz:

(a) Clause 2 of the Articles of Incorporation be changed to read:

"2. The purposes for which the corporation is formed are as follows:—

"To establish and provide a permanent non-sectarian institution for the residence, physical and moral welfare, maintenance, support and education of poor, healthy, white, male orphans (an orphan being a child whose father or mother is deceased) between the ages of four and eighteen years, for their instruction in useful trades and occupations, and to make provision for their further education, before or after their arrival at the age of eighteen years, at some other school, college, or university, all of which except as in

CERTIFICATE OF INCORPORATION
Amendment (1933)

these articles otherwise provided, shall be done according to the provisions of a Deed of Trust, executed by Milton S. Hershey and Catharine S. Hershey, his wife, to the Hershey Trust Company, Trustee, dated November 15, 1909, recorded in the Recorder's Office in and for the County of Dauphin, Pennsylvania, in Deed Book "E", Vol. 14, page 331, a copy of which Deed of Trust is hereto attached and made a part hereof."

(b) Clause 5 of the Articles of Incorporation which reads:

"5. The income of the corporation from real and personal estate shall be of the clear yearly value of Fifty Thousand Dollars (\$50,000.00),"

be stricken from the Articles.

(c) Clause 7 of the Articles of Incorporation, in so far as it now provides for the number of Managers, be changed to read:

"7. The number of Managers shall be fixed from time to time by the by-laws at not less than five (5) nor more than eleven (11). No person employed by the corporation in any capacity, in connection with which any compensation or expenses are directly or indirectly paid, shall at the same time serve as a Manager."

(d) A new clause be added to the Articles to read:

"9. The Managers shall from time to time receive and admit to The Hershey Industrial School as many poor, healthy, white, male orphans, 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 ex-

CERTIFICATE OF INCORPORATION
Amendment (1933)

tent, 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, others shall be admitted."

IN WITNESS WHEREOF, the corporate seal of The Hershey Industrial School is hereto affixed and duly attested, this thirtieth day of September, A. D. 1933.

THE HERSHEY INDUSTRIAL SCHOOL

BY MILTON S. HERSHEY
(Chairman) President.

[SEAL]

Attest:

S. C. STECHER,
Secretary.

STATE OF PENNSYLVANIA }
COUNTY OF DAUPHIN } ss:

Be it remembered, that on the thirtieth day of September, A. D. 1933, before me, a Notary Public in and for said Commonwealth and County, personally appeared M. S. Hershey, President, and S. C. Stecher, Secretary, of The Hershey Industrial School, who severally being duly sworn according to law, depose and say they were present at the execution of the above and foregoing Articles of Amendment; the seal affixed thereto is the common and corporate seal of The Hershey Industrial School; they saw the same affixed to the Articles of Amendment; the Articles of Amendment were duly signed, sealed and delivered by and as the act and deed of The Hershey Industrial School, for the purposes therein named, and the signatures of each of these affiants, appended hereto in attesta-

CERTIFICATE OF INCORPORATION
Amendment (1933)

tion of the execution and delivery thereof, are their true and proper handwriting.

MILTON S. HERSHEY
S. C. STECHER

Sworn and subscribed before me this Thirtieth day of September, A. D. 1933.

ESTHER B. KIMMEL,
[SEAL] *Notary Public.*

My Commission expires February 7, 1937.

STATE OF PENNSYLVANIA }
COUNTY OF DAUPHIN } ss:

Personally appeared before me, this Thirtieth day of September, A. D. 1933, M. S. Hershey and S. C. Stecher, who being duly sworn, according to law, depose and say the statements contained in the foregoing instrument are true.

MILTON S. HERSHEY,
S. C. STECHER.

Sworn and subscribed before me, the day and year aforesaid.

ESTHER B. KIMMEL,
[SEAL] *Notary Public.*

My Commission expires February 7, 1937.

Exhibit A—See pages 56 to 60, inclusive.

EXHIBIT B
CONSENT OF MEMBERS OF BOARD OF
MANAGERS OF
THE HERSHEY INDUSTRIAL SCHOOL
TO AMENDMENT OF ARTICLES
OF INCORPORATION

The undersigned, being all the members of the Board of Managers of The Hershey Industrial School,

CERTIFICATE OF INCORPORATION

Amendment (1933)

a nonprofit corporation of the Commonwealth of Pennsylvania, (the corporation having no members other than the persons constituting the Board of Managers), hereby give our consent to the amendment of its articles of incorporation in the following respects:

(a) Clause 2 of the Articles of Incorporation be amended to read:

“2. The purposes for which the corporation is formed are as follows:—

“To establish and provide a permanent non-sectarian institution for the residence, physical and moral welfare, maintenance, support and education of poor, healthy, white, male orphans (an orphan being a child whose father or mother is deceased) between the ages of four and eighteen years, for their instruction in useful trades and occupations, and to make provision for their further education, before or after their arrival at the age of eighteen years, at some other school, college, or university, all of which, except as in these articles otherwise provided, shall be done according to the provisions of a Deed of Trust, executed by Milton S. Hershey and Catharine S. Hershey, his wife, to the Hershey Trust Company, Trustee, dated November 15, 1909, recorded in the Recorder's Office in and for the County of Dauphin, Pennsylvania, in Deed Book “E”, Vol. 14, page 331, a copy of which Deed of Trust is hereto attached and made a part hereof.”

(b) Clause 5 of the Articles of Incorporation which reads:

“5. The income of the corporation from real and personal estate shall be of the clear yearly value of Fifty Thousand Dollars (\$50,000.00),”

CERTIFICATE OF INCORPORATION

Amendment (1933)

be stricken from the Articles.

(c) Clause 7 of the Articles of Incorporation, in so far as it now provides for the number of Managers, be amended to read:

“7. The number of Managers shall be fixed from time to time by the by-laws at not less than five (5) nor more than eleven (11). No person employed by the corporation in any capacity, in connection with which any compensation or expenses are directly or indirectly paid, shall at the same time serve as a Manager.”

(d) A new clause be added to the Articles, to read:

“9. The Managers shall from time to time receive and admit to The Hershey Industrial School as many poor, healthy, white, male orphans, 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, others shall be admitted.”

WITNESS our hands and seals this Thirtieth day of September, A. D. 1933.

MILTON S. HERSHEY, (SEAL)

EZRA F. HERSHEY, (SEAL)

WM. F. R. MURRIE (SEAL)

JOHN E. SNYDER (SEAL)

P. A. STAPLES (SEAL)

S. C. STECHER (SEAL)

CERTIFICATE OF INCORPORATION
Amendment (1933)

COMMONWEALTH OF PENNSYLVANIA

Department of Welfare

Harrisburg

IN RE: APPLICATION FOR ARTICLES OF AMENDMENT
OF THE ARTICLES OF INCORPORATION OF
THE HERSHEY INDUSTRIAL SCHOOL

TO THE HONORABLE, THE JUDGES OF THE COURT OF COM-
MON PLEAS OF DAUPHIN COUNTY, PENNSYLVANIA:

The Department of Welfare of the Commonwealth of Pennsylvania by its Secretary, Mrs. I. Albert Liveright, hereby certifies that the Department has made a thorough investigation of the need for the work in the community which the corporation will be capable of accomplishing under the broader powers as granted by the attached articles of amendment, and is convinced that the needs of the community wherein the work of the corporation is carried on require such broadened powers, and for that reason the proposed articles of amendment are approved.

ALICE F. LIVERIGHT
Secretary of Welfare.

CERTIFICATE OF INCORPORATION
Amendment (1933)

DECREE

AND NOW, this 30th day of October, 1933, it appearing on the presentation of the foregoing Articles of Amendment that publication of notice of the presentation thereof has been made according to law; that the corporation has no members other than the persons constituting its Board of Managers; that all said persons have given their written consent to the proposed amendments; that the Articles of Amendment have been approved by the Department of Welfare; and the Court being of the opinion the amendments are lawful, will be beneficial and not injurious to the community, and do not conflict with the requirements of the "Nonprofit Corporation Law," approved the 5th day of May, 1933, it is therefore ordered and decreed the Articles of Amendment are approved, and upon the recording thereof and the endorsements thereon and this order in the office of the Recorder of Deeds in and for the County of Dauphin, which is now hereby ordered, the Articles of Amendment shall be deemed and taken to be a part of the charter of The Hershey Industrial School.

BY THE COURT:

WM. M. HARGEST,

P. J.

CERTIFICATE OF INCORPORATION
Amendment (1933)

ENDORSEMENTS

BY THE PROTHONOTARY:

Oct. 30, 1933. Entered in the Court of Common Pleas
of Dauphin County, Pa., to No. 201 September Term
1933.

ARTHUR H. BAILEY,
Prothonotary.

[SEAL OF COURT OF COMMON PLEAS,
OF DAUPHIN COUNTY, PA.]

BY THE RECORDER OF DEEDS:

No. 2965
Received 2:10 P.M.
Oct 30 1933
Recorder's Office
Dauphin County
Penna.

STATE OF PENNSYLVANIA, }
DAUPHIN COUNTY. } ss:

Recorded in the Office for Recording of Deeds, &c.,
in and for the County of Dauphin, in Charter Book P,
Page 658.

WITNESS my hand and seal of office this 30 day of
Oct., Anno Domini 1933.

SARA M. ETTER,
Recorder.

[RECORDER'S SEAL]

Articles of Amendment of Certificate of Incorporation

December 24, 1951

IN RE	}	In the Court of
APPLICATION FOR ARTICLES		Common Pleas of
OF AMENDMENT OF THE AR-		Dauphin County,
TICLES OF INCORPORATION OF		Pennsylvania.
THE HERSHEY INDUSTRIAL		No. 816
SCHOOL		Sept Term 1951

ARTICLES OF AMENDMENT

TO THE HONORABLE, THE JUDGES OF SAID COURT:

In compliance with the requirements of the Act of the General Assembly of the Commonwealth of Pennsylvania, commonly known as the "Nonprofit Corporation Law," approved the 5th day of May, 1933, The Hershey Industrial School, a nonprofit corporation of the Commonwealth of Pennsylvania, desiring to amend its Articles of Incorporation, does hereby certify:

1. The name of the corporation is "The Hershey Industrial School"; the location of its registered office is No. 9 West Chocolate Avenue, Hershey, Derry Township, Dauphin County, Pennsylvania.

2. The corporation was formed under the provisions of the Act of Assembly entitled "An Act to provide for the incorporation and regulation of certain corporations", approved the 29th day of April, A. D.

CERTIFICATE OF INCORPORATION
Amendment (1951)

1874, and the several supplements thereto, by decree of your Honorable Court, dated the 30th day of December, A. D. 1919, the original Articles of Incorporation being recorded the 30th day of December, A. D. 1919, in the office for the recording of deeds, etc., in and for the County of Dauphin, in Charter Book "L", page 282, etc.

3. The corporation has no members other than the persons constituting its Board of Managers, all of which persons have given their consent in writing to the proposed amendments, as appears from the written consent hereto attached, marked "Exhibit A", and made a part hereof.

4. The corporation is desirous of amending its Articles of Incorporation in the following particulars, viz:

(a) Clause 1 of the Articles of Incorporation which reads as follows:

"1. The name of the intended corporation is
'The Hershey Industrial School.'"

shall be amended to read as follows:

"1. The name of the corporation shall be
'Milton Hershey School'."

(b) Clause 2 of the Articles of Incorporation (as heretofore amended by Articles of Amendment dated September 30, 1933, and recorded in the office for the recording of deeds, etc., in and for the County of Dauphin in Charter Book "P", at page 658) which reads as follows:

"2. The purposes for which the corporation is
formed are as follows:

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“To establish and provide a permanent, non-sectarian institution for the residence, physical and moral welfare, maintenance, support and education of poor, healthy, white, male orphans (an orphan being a child whose father or mother is deceased) between the ages of four and eighteen years, for their instruction in useful trades and occupations, and to make provision for their further education, before or after their arrival at the age of eighteen years, at some other school, college, or university, all of which, except as in these articles otherwise provided, shall be done according to the provisions of a Deed of Trust, executed by Milton S. Hershey and Catharine S. Hershey, his wife, to the Hershey Trust Company, Trustee, dated November 15, 1909, recorded in the Recorder's Office in and for the County of Dauphin, Pennsylvania, in Deed Book “E”, Vol. 14, page 331, a copy of which Deed of Trust is hereto attached and made a part hereof.”

shall be amended to read as follows:

“2. The purposes for which the corporation is formed are as follows:

“To establish and provide a permanent, non-sectarian institution for the residence, physical and moral welfare, maintenance, support and education of poor, healthy, white, male orphans (an orphan being a child whose father or mother is deceased) between the ages of four and eighteen years, for their instruction in useful trades and occupations, and to make provision for their further education, before or after their arrival at the age of eighteen years, at some other school, college, or university, all of which, except as in

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these articles otherwise provided, shall be done according to the provisions of a Deed of Trust, executed by Milton S. Hershey and Catharine S. Hershey, his wife, to the Hershey Trust Company, Trustee, dated November 15, 1909, recorded in the Recorder's Office in and for the County of Dauphin, Pennsylvania, in Deed Book "E", Vol. 14, page 331, a copy of which Deed of Trust is attached to and made a part of the original Articles of Incorporation.

Provided that the said institution shall be known as 'Milton Hershey School'."

(c) Clause 9 of the Articles of Incorporation, as amended, which reads as follows:

"9. The Managers shall from time to time receive and admit to The Hershey Industrial School as many poor, healthy, white, male orphans, 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, others shall be admitted."

shall be amended to read as follows:

"9. The Managers shall from time to time receive and admit to Milton Hershey School as many poor, healthy, white, male orphans, 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, ca-

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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, others shall be admitted."

IN WITNESS WHEREOF, the corporate seal of The Hershey Industrial School is hereto affixed and duly attested, this 18th day of December, 1951.

THE HERSHEY INDUSTRIAL SCHOOL,

By P. A. STAPLES
(Chairman) President.

Attest:

ARTHUR R. WHITEMAN
Secretary.

[CORPORATE SEAL]

STATE OF PENNSYLVANIA } ss:
COUNTY OF DAUPHIN }

Be it remembered that on the 18th day of December, 1951, before me, a Notary Public in and for said Commonwealth and County, personally appeared P. A. Staples, President, and Arthur R. Whiteman, Secretary, of The Hershey Industrial School, who severally being duly sworn according to law, depose and say they were present at the execution of the above and foregoing Articles of Amendment; the seal affixed thereto is the common and corporate seal of The Hershey Industrial School; they saw the same affixed to the Articles of Amendment; the Articles of Amendment were duly signed, sealed and delivered by and as the act and deed of The Hershey Industrial School, for the purposes therein named, and the signatures of

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each of these affiants, appended hereto in attestation of the execution and delivery thereof, are their true and proper handwriting.

P. A. STAPLES
ARTHUR R. WHITEMAN

Sworn and subscribed before
me this 18th day of December,
1951.

MABEL P. WILBAR
[SEAL] *Notary Public*

My Commission expires Jan. 20, 1955.

STATE OF PENNSYLVANIA }
COUNTY OF DAUPHIN } ss:

Personally appeared before me, this 18th day of December, 1951, P. A. Staples and Arthur R. Whiteman, who being duly sworn according to law, depose and say the statements contained in the foregoing instrument are true.

P. A. STAPLES
ARTHUR R. WHITEMAN

Sworn and subscribed before
me the day and year aforesaid.

MABEL P. WILBAR
[SEAL] *Notary Public*

My Commission expires Jan. 20, 1955.

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EXHIBIT "A"
CONSENT OF MEMBERS OF BOARD OF
MANAGERS OF
THE HERSHEY INDUSTRIAL SCHOOL
TO AMENDMENT OF ARTICLES
OF INCORPORATION

The undersigned, being all the members of the Board of Managers of The Hershey Industrial School, a non-profit corporation of the Commonwealth of Pennsylvania, (the corporation having no members other than the persons constituting the Board of Managers), hereby give our consent to the amendment of its articles of incorporation in the following respects:

(a) Clause 1 of the Articles of Incorporation which reads as follows:

"1. The name of the intended corporation is 'The Hershey Industrial School'."

shall be amended to read as follows:

"1. The name of the corporation shall be 'Milton Hershey School'."

(b) Clause 2 of the Articles of Incorporation (as heretofore amended by Articles of Amendment dated September 30, 1933, and recorded in the office for the recording of deeds, etc., in and for the County of Dauphin in Charter Book "P", at page 658) which reads as follows:

"2. The purposes for which the corporation is formed are as follows:—

To establish and provide a permanent, non-sectarian institution for the residence, physical and moral welfare, maintenance, support and education of poor, healthy, white, male orphans (an orphan being a child whose father or mother is deceased) between the ages of four and eighteen

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years, for their instruction in useful trades and occupations, and to make provision for their further education, before or after their arrival at the age of eighteen years, at some other school, college, or university, all of which, except as in these articles otherwise provided, shall be done according to the provisions of a Deed of Trust, executed by Milton S. Hershey and Catharine S. Hershey, his wife, to the Hershey Trust Company, Trustee, dated November 15, 1909, recorded in the Recorder's Office in and for the County of Dauphin, Pennsylvania, in Deed Book "E", Vol. 14, page 331, a copy of which Deed of Trust is hereto attached and made a part hereof."

shall be amended to read as follows:

"2. The purposes for which the corporation is formed are as follows:

To establish and provide a permanent, non-sectarian institution for the residence, physical and moral welfare, maintenance, support and education of poor, healthy, white, male orphans (an orphan being a child whose father or mother is deceased) between the ages of four and eighteen years, for their instruction in useful trades and occupations, and to make provision for their further education, before or after their arrival at the age of eighteen years, at some other school, college, or university, all of which, except as in these articles otherwise provided, shall be done according to the provisions of a Deed of Trust, executed by Milton S. Hershey and Catharine S. Hershey, his wife, to the Hershey Trust Company, Trustee, dated November 15, 1909, recorded in the Recorder's Office in and for the County of

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Dauphin, Pennsylvania, in Deed Book "E", Vol. 14, page 331, a copy of which Deed of Trust is attached to and made a part of the original Articles of Incorporation.

Provided that the said institution shall be known as 'Milton Hershey School'."

(c) Clause 9 of the Articles of Incorporation, as amended, which reads as follows:

"9. The Managers shall from time to time receive and admit to The Hershey Industrial School as many poor, healthy, white, male orphans, 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, others shall be admitted."

shall be amended to read as follows:

"9. The Managers shall from time to time receive and admit to Milton Hershey School as many poor, healthy, white, male orphans, 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, others shall be admitted."

WITNESS our hands and seals this 18th day of December, 1951.

P. A. STAPLES (SEAL)

ARTHUR R. WHITEMAN (SEAL)

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Amendment (1951)

P. N. HERSHEY	(SEAL)
CHAS. F. ZIEGLER	(SEAL)
D. PAUL WITMER	(SEAL)
SAMUEL F. HINKLE	(SEAL)
JAMES E. BOBB	(SEAL)
THEODORE R. BANKS	(SEAL)
J. B. SOLLENBERGER	(SEAL)
WM. H. EARNEST	(SEAL)
J. J. GALLAGHER	(SEAL)

COMMONWEALTH OF PENNSYLVANIA

Department of State

Harrisburg, December 17, 1951

I Do HEREBY CERTIFY, That the new name

MILTON HERSHEY SCHOOL

being available for use by a nonprofit corporation, was this day duly registered in this office in accordance with the provisions of Article VII of the Non-profit Corporation Law, approved the fifth day of May, A. D. 1933, P. L. 289, as amended.

[SEAL]

IN TESTIMONY WHEREOF, *I have here-
unto set my hand and caused the seal
of the Department of State to be
affixed, the day and year above
written.*

GENE D. SMITH

Secretary of the Commonwealth.

J E G

CERTIFICATE OF INCORPORATION
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COMMONWEALTH OF PENNSYLVANIA
Department of Welfare
Harrisburg

IN RE: APPLICATION FOR ARTICLES OF AMENDMENT
OF THE ARTICLES OF INCORPORATION OF
THE HERSHEY INDUSTRIAL SCHOOL

TO THE HONORABLE JUDGES OF THE COURT OF COM-
MON PLEAS OF DAUPHIN COUNTY, PENNSYLVANIA:

The Department of Welfare of the Commonwealth of Pennsylvania by its Secretary, William C. Brown, hereby certifies that the Department has made a thorough investigation of the need for the attached Amendment to Articles of Incorporation, and has found that the needs of the community wherein the work of said corporation, The Hershey Industrial School, is carried on require such amendment so that said corporation, and the school or institution referred to in the Articles of Incorporation will not be erroneously confused with correctional or reformatory institutions and so that boys now attending, or who may have heretofore attended, or who may hereafter attend, such school shall not be erroneously confused with boys who have been committed to correctional or reformatory institutions, and for that reason the proposed Articles of Amendment are approved.

WILLIAM C. BROWN

Secretary of Welfare of the Commonwealth

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DECREE

AND NOW, this 24th day of December, 1951, it appearing on the presentation of the foregoing Articles of Amendment that publication of notice of the presentation thereof has been made according to law; that the corporation has no members other than the persons constituting its Board of Managers; that all said persons have given their written consent to the proposed amendments; that the Articles of Amendment have been approved by the Department of Welfare; and the Court being of the opinion the amendments are lawful, will be beneficial and not injurious to the community, and do not conflict with the requirements of the "Nonprofit Corporation Law," approved the 5th day of May, 1933, it is therefore ordered and decreed the Articles of Amendment are approved, and upon the recording thereof and the endorsements thereon and this order in the office of the Recorder of Deeds in and for the County of Dauphin, which is now hereby ordered, the Articles of Amendment shall be deemed and taken to be a part of the charter of the corporation originally organized under the name of The Hershey Industrial School.

BY THE COURT:

PAUL G. SMITH,
J.

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ENDORSEMENTS

BY THE PROTHONOTARY:

Filed Dec. 18, 1951

Received
Office of Prothonotary
Dec. 18—12:48 P.M. '51
Dauphin County
Penna.

Dec. 24, 1951, entered in the Court of Common Pleas
of Dauphin County, Pa., to No. 816 Sept. Term, 1951.

MILES B. ZIMMERMAN, JR.,
Prothonotary.

[SEAL OF COURT OF COMMON PLEAS
OF DAUPHIN COUNTY, PA.]

BY THE RECORDER OF DEEDS:

No. 10816
Received
Recorder's Office
Dec. 26—9:51 A.M. '51
Dauphin County
Penna.

STATE OF PENNSYLVANIA }
DAUPHIN COUNTY } ss:

Recorded in the Office for Recording of deeds, etc.,
in and for County of Dauphin in Charter Book T,
Page 273.

WITNESS my hand and seal of Office this 26th day of
Dec. Anno Domini 1951.

MARION T. ANDERSON,
Recorder

[RECORDER'S SEAL]

CERTIFICATION BY PROTHONOTARY

I,, Prothonotary of the Court of Common Pleas of Dauphin County, Pennsylvania, hereinafter called "Prothonotary", hereby certify that the foregoing (pages 56 to 84, inclusive) is a true and correct copy with endorsements thereon of:

(a) Certificate of Incorporation of a nonprofit corporation incorporated under the name of "The Hershey Industrial School", hereinafter called "the Corporation", under the Act of the General Assembly of the Commonwealth of Pennsylvania entitled "An Act to provide for the incorporation and regulation of certain corporations" approved April 29, 1874, and the several supplements thereto, and the Decree of the Court of Common Pleas of said Dauphin County entered December 30, 1919, approving said Certificate of Incorporation, which Certificate of Incorporation and Decree were entered in the Court of Common Pleas of said Dauphin County to No. 567, January Term, 1920, and were duly recorded on December 30, 1919, in the office of the Recorder of Deeds in and for said County of Dauphin in Charter Book "L", page 282.

(b) Articles of Amendment of the Certificate of Incorporation of the Corporation in compliance with the Act of the General Assembly of the Commonwealth of Pennsylvania, known as the "Nonprofit Corporation Law", approved May 5, 1933; the Consent of the Members of the Board of Managers of the Corporation to the said Amendment of the Articles of Incorporation; Approval of the Department of Welfare of the Commonwealth of Pennsylvania of said Articles of Amendment; Decree of the Court of Common Pleas

CERTIFICATION BY PROTHONOTARY

of said Dauphin County entered on October 30, 1933, approving said Articles of Amendment, which Articles of Amendment and Decree were entered in the Court of Common Pleas of said Dauphin County to No. 201, September Term, 1933, and were duly recorded on October 30, 1933, in the office of the Recorder of Deeds of said Dauphin County in Charter Book "P", page 658.

(c) Articles of Amendment of the Certificate of Incorporation in compliance with said Nonprofit Corporation Law; the Consent of Members of Board of Managers of the Corporation to Amendment of Articles of Incorporation; the certificate from the Department of State of the Commonwealth of Pennsylvania evidencing the registration of the name "Milton Hershey School"; the approval of the Department of Welfare of the Commonwealth of Pennsylvania of said Articles of Amendment; decree of the Court of Common Pleas of Dauphin County, Pennsylvania, entered December 24, 1951, approving said Articles of Amendment, which Articles of Amendment and decree were entered in said Court of Common Pleas to No. 816, September Term, 1951, and recorded in the office of said Recorder of Deeds in Charter Book "T", page 273.

With reference to the Articles of Amendment, decrees and other documents and instruments mentioned in the preceding subparagraph (c), I further certify that said Articles of Amendment and said Certificate from the Department of State evidencing the registration of proposed new corporate name, "Milton Hershey School", were filed by the Corporation in the office of the Prothonotary on December 18, 1951; that said Articles of Amendment were trans-

CERTIFICATION BY PROTHONOTARY

mitted to the Department of Welfare of the Commonwealth of Pennsylvania for its approval and were subsequently filed with the Prothonotary containing the approval of the Department of Welfare; that said Articles of Amendment and said Certificate from the Department of State remained on file in the office of the Prothonotary at least three days prior to December 24, 1951; that said Articles of Amendment and said Consent of Members of Board of Managers were presented in open Court to the Court of Common Pleas of Dauphin County, together with (a) proofs of publication of the advertisement required by Section 706 of the Nonprofit Corporation Law of the Commonwealth of Pennsylvania, (b) said certificate of registration from the Department of State and (c) said approval of Department of Welfare; that on December 24, 1951, said Articles of Amendment were approved by the Court of Common Pleas of Dauphin County, Pennsylvania, and on the same day said Articles of Amendment so approved were transmitted by the Prothonotary to the Recorder of Deeds of Dauphin County for recording; that on December 26, 1951, said Articles of Amendment so approved were duly recorded in the office of said Recorder of Deeds of Dauphin County; and that said Articles of Amendment, upon being recorded, were returned to the Prothonotary and retained and filed by him as part of the records of the Court of Common Pleas of Dauphin County, Pennsylvania.

.....,

Prothonotary of Dauphin County.

Dated