

LAST WILL AND TESTAMENT OF MARY SEIFRIED, DCRASED.

Last Will and Testament of Mary Seifried of Tell City, Perry Co. Indiana, In the name of the Benevolent father of All, Amen. I Mary Seifried, widow do hereby this my Last Will and Testament.

1st, I direct, that all my just debts and Funeral and Burial expenses, be paid, as soon after my Death as possible, by my Executor herein named.

2nd, I direct also that he shall have a cheap Tombstone erected at the Tell City Cemetery for my husband and myself, and pay to the Catholic church at Tell City, Ind., the sum of Fifty Dollars for masses for us.

3rd, And after all the above is complied with and my Real Estate in Kentucky has been sold- and any balance, or the remainder, to be equally divided between the Edwards Hospital of New Albany Ind, and Henry Herr of Tell City, Ind. each, to receive one half of all my Estate left for their services and kindness.

4th, I hereby appoint Henry Herr of Tell City Ind, as Executor of this, my last will and testament and revoke all former wills by me made and that he shall be exempt for giving any surety, as such Executor.

In testimony whereof I have set my hand and seal this 9 day of March 1908.

MARY SEIFRIED.

Signed and acknowledged by the said Mary Seifried, as her last will and testament in our presence, and signed by us in her presence as witnesses.

H.Nimsgern, N.P. Tell City Perry Co, Ind.

Anton N.Oberhausen, Tell City, Ind.

My Commission Expires Jan 29, 1912.

State of Indiana, Perry County, SS:-

I, William V. Doogs, Clerk of the Circuit Court in and for said County and State do hereby certify that the above and foregoing is a true and correct copy of the last Will and Testament of Mary Seifried duly entered for probate and recorded, together with the proof thereof in Book E- pages 182 & 183 of the Record of Wills of said County now in my office

In Witness whereof I hereunto set my hand and seal of said Court this 6th day of August 1908.

Seal

W.V.DOOGS, CLERK.

STATE OF INDIANA, PERRY COUNTY, SS.

BE IT REMEMBERED, that on the 6th day of August 1908, Anton N.Oberhausen one of the subscribing witnesses to the within and foregoing last Will and Testament of Mary Seifried late of said County, deceased, personally appeared before the Clerk of the Circuit Court of Perry County, in the State of Indiana, being duly sworn by the Clerk of said Court upon his oath declared and testified as follows, that is to say; That on the 9th day of March A.D. 1908, he saw the said Mary Seifried sign her name to said instrument in writing as and for her last Will and Testament, and that this deponent at the same time heard the said Mary Seifried declare the said instrument in writing to be her last Will and Testament, and the said instrument in writing was at the same time at the request of the said Mary Seifried and with her consent attested and subscribed by the said Anton N.Oberhausen and H.Nimsgern in the presence of said testator, and in the presence of each other as subscribing witnesses thereto and that the said Mary Seifried was at the time of the signing and subscribing of said instrument in writing as aforesaid, of full age, (that is more than twenty-one years of age) and of sound and disposing mind and memory, and not under any coercion or restraint, as the said deponent verily believes, and further deponent says not.

Seal

ANTON N.OBERHAUSEN.

Sworn to and subscribed by the said Anton N. Oberhausen, before the Clerk of said Court at Cannelton, Ind., the 6th day of August 1908.

In attestation whereof, I have hereunto subscribed my name, and affixed the seal of said Court.

W.V.DOOGS, CLERK.

STATE OF INDIANA, PERRY COUNTY, ss;

I, W.V. Doogs, Clerk of the Circuit Court of Perry County, Indiana, do hereby certify that the within annexed Will and Testament of Mary Seifried and the testimony of Anton N. Oberhausen one of the subscribing witnesses thereto, that a complete record of said Will, and of the testimony of the said Anton N. Oberhausen in proof thereof, has been by me duly made and recorded in Book E, Pages 182 & 183 of the Record of Wills of said County.

In attestation whereof, I have hereunto subscribed my name, and affixed the seal of said Court at Cannelton, Ind., this 6 day of August 1908.

Seal

W.V.DOOGS, Clerk Perry
Circuit Court.

Breckinridge County Court.

Regular Term, September 28th 1908.

I, W.F. HOOK, Clerk of the County Court in and for the County and State aforesaid do certify that on this day, The Edwards Hospital of New Albany, Ind., and Henry Herr of Tell City, Ind., by their attorney, Allen R. Kincheloe, came into Court and offered a copy of the Will of Mary Seifried, deceased, for probate, it appearing that said testator was at the time of her death a non resident of the State of Kentucky, and a resident of the State of Indiana, and that the real estate devolved by said will lies in the County of Breckinridge, Kentucky and that the will of said Mary Seifried was duly probated and admitted to record in the probate Court of Perry County State of Indiana and adjudged to be, by said Court duly executed as a will of real estate. It further appearing from the copy of said will now offered for probate, that said will was proved to have been so executed, as to be a valid will of lands in this Commonwealth by the law thereof and certificate of probate granted thereof and copy and certificate being duly authenticated, it is

now ordered ~~that~~ said copy be admitted to probate as the will of said Mary Seifried, deceased, in regard to real estate and that the same be recorded as her will as such. Whereupon the same together with this certificate has been duly and legally admitted to record in my office.

Attest; W.F.HOOK, CLERK, B.C.C.

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I, Henry L.Kurtz, aged 57 years, a citizen of the County of Breckinridge, State of Kentucky, being of sound mind and memory, but weak in bodily health, and knowing the uncertainty of this life, and desiring to make other disposition of my worldly possessions other than that made and provided under the Statutes of Descent and distribution under the laws of this State, do make and publish this to be my last will and testament, hereby revoking any and all wills or testaments that my heretofore been made by me.

2ND. It is my will, that after my death, my Executor hereinafter named will pay and liquidate all of my just debts. In addition to this my said Executor will purchase a lot in the Irvington Cemetery in Breckinridge County State of Kentucky said lot to be chosen by my sisters and brother, and my said executor is directed to erect thereon a monument to my grave suitable to said purpose. After my said debts, if any there should be, are fully paid and liquidated, together with the expenses of purchasing said lot and the erection of the monument thereon, together with the necessary burial expenses; it is my will that the balance of my worldly possessions, real personal and mixed of every kind nature and description be disposed of as follows.

3RD. That is to say, it is my will wish and desire that my sisters Ella M. Crutcher, wife of J.C.Crutcher, Mary Emma Claycomb, wife of C.H.Claycomb, Norris Bell Lyddan, wife of Thomas Lyddan and my brother James C.Kurtz each share and share alike in all of my property, it being my wish will and desire to treat them all the same.

4TH. As to the division of my said property either real personal or mixed among the devisees herein, I leave to my said sisters and brother, enjoining them however, that they try and agree ~~as~~ to said division; that is to say that they may hold the realty in tact, divide the same or dispose of it by sale and proportion the money among themselves share and share alike as aforesaid. But if it should be that my said sisters and brother should fail to agree as to the division or apportionment of my said real estate among themselves, then in that event my Executor is directed and empowered to take such steps as may be necessary to perfect a division, and is authorized and empowered to make and execute any and all deeds or papers to perfect and confirm the titles to their said respective interests. As to my personalty, consisting of money, notes, choses in action, live stock, farming implements or any other personalty, and which is willed to my said sisters and brother share and share alike, I leave it to them as to the disposal of the same, but in case they should disagree as to the disposal or management of said personal property, then in that event I direct my Executor to dispose of same, using his best judgment therein, and the proceeds therefrom in connection of any and all moneys I may have with the cash arising from the collection of any notes I may have after the payment of any any expenses that may accrue from the management or disposal of same is to be divided among my said sisters and brother share and share alike as aforesaid.

5TH. I hereby appoint my brother James C.Kurtz, as my Executor, and request the Court that he be allowed to qualify as such without bond, I having the most abiding faith in his honesty and integrity, and that he will faithfully carry out each and all of the conditions of this will. Further, my executor is empowered to take any and all legal proceedings that may become necessary, for the collection of any and all moneys that may be due or coming to my said estate, together with full and complete power to make any and all transfers of every kind and nature that may arise or be necessary, in the full and complete settlement of my estate.

In Testimony whereof, I have hereunto affixed my signature, this the 16th, day of April 1908, which is done in the presence of my two witnesses, to-wit; H.C.Stewart, and Thomas J.Compton, and who as such witnesses have attested this my last will and testament in my presence and in the presence of ~~each~~ other, all of which I ratify and confirm.

HENRY L.KURTZ.

Witnesses by, H.C.Stewart.

Thomas J.Compton.

Who witnessed the signing of this instrument by the testator, Henry L.Kurtz which was done by him in our presence, and attested by us in his presence and in the presence of each other.

Kentucky, Breckinridge County Court.
Regular Term, November 23rd 1908.

The foregoing instrument of writing purporting to be the last Will and Testament of Henry L.Kurtz, deceased, was this day produced to Court, and being duly proven by the oaths of H.C.Stewart and Thomas J.Compton, the attesting witnesses thereto, was established as and for the last Will and Testament of said Henry L.Kurtz, deceased, and as such was ordered to record, whereupon the same and this certificate have been duly recorded.

Attest: W.F.HOOK, Clerk, B.C.C.