

Will of Elizabeth Beery

Name in Record	Reason for Being in Record	Date of Record
Elizabeth Beery	Makes her last will & testament	November 17, 1897
Susan Catherine Smith	Daughter; inherits real estate	
Abraham J. Beery	Husband; holds life estate on real estate	
Sophia Paterson	Niece; inherits 50.00	
Joseph D. Beery	Son; receives credit for notes on money he owes mother, less 150.00	
P. N. Smith	Husband of Susan Catherine Smith	
Susan Catherine Smith	Daughter; receives money & notes in trust for minor heirs	
P. N. Smith	Son-in-law; receives money & notes in trust for minor heirs	
Charles Beery	Minor heir; to share money & notes when he reaches age 21	
Robert Beery	Minor heir; to share money & notes when he reaches age 21	
James Beery	Minor heir; to share money & notes when he reaches age 21	
Harrie Beery	Minor heir; to share money & notes when he reaches age 21	
Joseph Beery	Minor heir; to share money & notes when he reaches age 21	
Dessie Beery	Minor heir; to share money & notes when she reaches age 21	
Leroy Beery	Minor heir; to share money & notes when he reaches age 21	
Ermin Smith	Minor heir; to share money & notes when he reaches age 21	
Florence Smith	Minor heir; to share money & notes when she reaches age 21	
Susan Catherine Smith	Appointed executor of will of Elizabeth Beery	
J. W. Teeple	Witnessed Elizabeth Beery making her last will	
Peter Zeigler	Witnessed Elizabeth Beery making her last will	
Elizabeth Beery	Died	December 22, 1897
Judson W. Teeple	Subscribing witness; oath of death & validity of will	January 27, 1898
John H. Lenhart	Clerk	
John H. Lenhart	Clerk; will has been admitted to probate	January 27, 1898

No 581

1877

of Elizabeth Bury of the County of Adams State of Indiana being of sound mind and disposing memory do hereby make and publish this my last Will and Testament in full and lawful manner by me made hereby revoking all former Wills by me made. Now know ye that I give and devise to my daughter Susan Catherine Smith the following described real estate in Adams County State of Indiana to wit: commencing at a point one hundred and thirty feet west of the South-east corner of said lot mentioned in the 1st in James Hillier's Addition to the Town near City of Decatur Indiana, thence to run east parallel with the south line of said lot to the center of the St Marys River thence south sixty (60) feet more or less thence west to the east line of second street to a point which is fifty three (53) feet more or less North from the place of beginning thence south parallel with second street sixty (60) feet more or less to the place of beginning subject to the life estate of my husband Abraham Bury who is to keep said property in repair and pay the tax paid on said real estate, also subject to a bequest to Sophia Patterson my niece of fifty (\$50) dollars which is not to be paid until said real estate is sold and converted into money.

I give and devise to my son James Lewis Joseph L Bury all notes for money which I now hold against him and all in owing from him to me except one hundred and fifty dollars which he is to pay also the interest on said money which he may owe to me at the time.

I give and devise to my son-in-law P. W Smith and my daughter Susan Catherine Smith in trust all the money or notes I may be seized of except the notes and money heretofore devised to my son Joseph S Bury said money to be kept invested at the best possible advantage and at the best rate of interest obtainable. Said money to be paid them and there after to Charles Bury Robert Bury James Bury Harve Bury Joseph Bury Dannie Bury Gray B Bury Eunice Smith and Thomas Smith when each one arrives of the age of twenty one years unless in

the judgment of my trustees they should think said persons are deserving their said money to share him or herself with in which case they are to pay their share of money for schooling and more other things to be paid at the time heretofore specified. My executors and appraisers said Susan Catherine Smith my executrix of this my last Will and Testament. P. W Smith her husband to assist her.

An testimony whereof I have hereunto set my hand and seal this 17th day of November A.D. 1877.
 Attest J. H. Teple Elizabeth Bury
 Notary Public

Signed and acknowledged by said Elizabeth Bury as her last Will and Testament in our presence and signed by us in her presence.
 J. H. Teple witness
 Peter Geigler witness

State of Indiana Adams County 33.
 Be it known that Judson W Teple one of the subscribing witnesses of the last Will and Testament of Elizabeth Bury late of Adams County deceased personally appeared before the undersigned Clerk of the Adams Circuit Court of Adams County being of lawful age and being by me duly sworn depose as follows: That Elizabeth Bury deceased on the 22nd day of December 1877 that she left her foregoing as her last will and Testament that the undersigned was present and saw the said testatrix sign her name to the same and she also published and declared that the same was her last Will and Testament that she was of sound mind and memory fully competent to devise her property and was under no restraint or coercion whatever. That J. H. Teple and Peter Geigler each signed their names to the same as subscribing witnesses in his presence and at her request and in the presence of each other J. H. Teple subscribed and sworn to before me this 27th day of January 1878

John H. Leckart Clerk

No 581
 1877
 Adams County Indiana
 State of Indiana
 1877

1877
 Adams County Indiana
 State of Indiana
 1877

No 581

I Elizabeth Berry of the County of Adams State of Indiana being of sound mind and disposing memory do hereby make and publish this my last Will and Testament hereby revoking all former Wills by me made.

I give and devise to my daughter Susan Catherine Smith the following described real estate in Adams County, State of Indiana, to-wit: Commencing at a point one hundred and thirty feet west of the south east corner of Butler's plantation Survey from (74) in James White's Administrators addition to the town near City of Decatur, Indiana, thence to run east parallel with the south line of said lot to the center of the St Marys River thence north sixty (60) feet more or less, thence west to the east line of second Street to a point which is fifty three (53) feet more or less North from the place of beginning, thence South parallel with second Street sixty three (63) feet more or less to the place of beginning, subject to the life estate of my husband Abraham J. Berry who is to keep said property in repair and keep the tax paid on said real estate, also subject to a bequest to Sophia Patterson my niece of fifty (\$50) dollars which is not to be paid until said real estate is sold and counted into money.

I give and devise to my son Joseph D. Berry all notes for money which I now hold against him and that is owing from him to me except one hundred and fifty dollars which he is to pay also the interest on said money which he may owe to me at the time.

I give and devise to my son-in-law P. W. Smith and my daughter Susan Catherine Smith in trust all the money or notes I may be seized of except the notes and money heretofore devised to my son Joseph D. Berry said money to be kept invested at the best possible advantage and at the best rate of interest obtainable. Said money to be paid share and share alike to Charles Berry, Robert Berry, James Berry Harve Berry, Joseph Berry, Dessie Berry, Leroy Berry, Emma Smith and Florence Smith, when each one arrives of the age of twenty one years, unless in

the judgment of my trustees they should think said persons are needing said money to school here or herself with in which case they are to pay their share of money for schooling and more other, otherwise to be paid at the time heretofore specified.

I make and appoint said Susan Catherine Smith my executrix of this my last Will and Testament. P. W. Smith her husband to assist her.

In testimony whereof I have hereunto set my hand and seal this 17th day of November, A. D. 1877.

Attest } J. W. Trefler
 } Elizabeth ^{Berry} ~~Smith~~ Berry ^{Wife} ~~Smith~~ _{mark} ³²¹

Witness
 Peter Geigler

Signed and acknowledged by said Elizabeth Berry as her last Will and Testament in our presence and signed by us in her presence.

J. W. Trefler witness
 Peter Geigler witness

State of Indiana Adams County 33.

Be it known that Judson W. Trefler one of the subscribing witnesses of the last Will and Testament of Elizabeth Berry, late of Adams County, deceased, personally appeared before the undersigned, clerk of the Adams Circuit Court of Adams County, being of lawful age, and being by me duly sworn depose as follows: That Elizabeth Berry deceased on the 22nd day of December 1877, that she left the foregoing as her last will and Testament, that she undersigned was present and saw the said testatrix sign her name to the same and she also published and declared that she was of sound mind and memory, fully competent to devise her property and was under no restraint or coercion whatever. That J. W. Trefler and Peter Geigler each signed their names to the same as subscribing witnesses in her presence, and at her request and in the presence of each other. J. W. Trefler subscribed and sworn to before me this 27th day of January 1878.

John H. Leckart clerk

\$10.00 Recd of P. W. Smith and Susan Catherine Smith, Trustees of Elizabeth Berry one hundred and fifty dollars in full of the distribution share in the last will of Elizabeth Berry dated 11th Dec 1877.

\$411.21 Recd of P. W. Smith and Susan Catherine Smith, Trustees of Elizabeth Berry one hundred and fifty dollars in full of the distribution share in the last will of Elizabeth Berry dated 11th Dec 1877.

R. D. Patterson
 Clerk of Adams County

Will of Elizabeth Barry Continued

State of Indiana Adams County SS:
I John H. Lusk Clerk of the Adams Superior
Court of Adams County, Indiana, certify that the
above and foregoing Will of Elizabeth Barry late
of Adams County, deceased, has been duly admitted
to probate that its due execution was this day proven
by James H. Peple whose proof together with
said Will, have been duly recorded on page
26 to 508 Record "C" of wills in this office.

Witness my hand and seal of said Court
this 27th day of January 1898.
John H. Lusk
Clerk