

Will of Ermin D. Bixler

Name in Record	Reason for Being in Record	Date of Record
Ermin D. Bixler	Of Berne; makes his last will & testament	April 5, 1939
Mazie I. Bixler	Wife; inherits balance of estate	
Henrietta H. Bixler	Daughter; provision is made in form of life insurance	
James A. Bixler	Son; provision is made in form of life insurance	
Henrietta H. Bixler	Daughter; share remaining estate after death of Mazie Bixler	
James A. Bixler	Son; share remaining estate after death of Mazie Bixler	
Mazie I. Bixler	Wife; appointed executrix of will of Ermin Bixler	
Gertrude Schultz	Witnessed Ermin Bixler making his last will	
D. Burdette Custer	Witnessed Ermin Bixler making his last will	
Ermin D. Bixler	Died	Sept. 3, 1960
D. Burdette Custer	Subscribing witness; oath of death & validity of will	Oct. 26, 1960
Richard D. Lewton	Clerk	
Richard D. Lewton	Clerk; will has been admitted to probate	Oct. 26, 1960

#5593

LAST WILL AND TESTAMENT OF ERMIN D. BIXLER

I, Ermin D. Bixler, of Berne, Indiana, being of sound mind and memory, of clear and good understanding, do make, publish and declare this to be my Last Will and Testament, hereby revoking any former Wills I may have made.

ITEM I.

I desire that all my Just debts and funeral expenses and cost of Administration be paid from my estate as soon as reasonable after my demise.

ITEM II

I give, devise and bequeath to my wife, Mazie I. Bixler, all of my real and personal property of which I may die possessed.

ITEM III

No provision is made in this Will for my children Henrietta H. Bixler or James A. Bixler for the reason that provision has been made for them in another manner, namely life insurance, and it is my feeling that should they be in want or need that my wife, Mazie I. Bixler will see to their wants and necessities.

ITEM IV

In case my wife, Mazie I. Bixler, should pre-decease me or should die within the period of one week from the time of my demise, then it is my desire and I hereby Will and do give, devise and bequeath all of my property both personal and real to my children, Henrietta H. Bixler and James A. Bixler, share and share alike, and if either of said children shall pre-decease me, then his or her share shall descend to his or her heirs.

ITEM V

I make, nominate and appoint my wife, Mazie I. Bixler the Executrix of this, my Last Will and Testament. In case she is unable or unwilling to serve in such capacity, then I desire that my daughter, Henrietta H. Bixler be appointed Executrix, and in case she is unwilling or unable to serve that my son James A. Bixler be appointed Executor, providing she or he is of legal age at the time of my demise.

IN WITNESS WHEREOF, I have hereunto set my hand to this my Last Will and Testament, this 5th day of April, 1939, at Decatur, Indiana. s/ ERMIN D. BIXLER

Signed by the said Ermin D. Bixler as and for his Last Will and Testament in our presence and signed by us as witnesses in his presence, at his request, and in the presence of each other this 5th day of April, 1939.

Witness s/ GERTRUDE SCHULTZ

Witness s/ D. BURDETTE CUSTER

AFFIDAVIT OF DEATH and PROOF OF WILL and CERTIFICATE OF PROBATE
(By Subscribing Witness)

Estate No. 5593

STATE OF INDIANA, }
COUNTY OF ADAMS } SS:

IN THE CIRCUIT COURT

RE ESTATE OF }
Ermin D. Bixler }
Deceased }

Docket _____ Page _____

AFFIDAVIT OF DEATH

D. Burdette Custer, being duly sworn, on oath says that Erwin D. Bixler died on or about the 3 day of September, 1960 and at the time of such death was a resident of such county and state.

s/ D. BURDETTE CUSTER

Subscribed and sworn to before me this 26 day of October, 1960.

(SEAL)

s/ RICHARD D. LEWTON Clerk

PROOF OF WILL (By Subscribing Witness)

D. Burdette Custer, being duly sworn by the undersigned Clerk of the Circuit Court of Adams County, Indiana, on oath says:

1. Affiant is one of the subscribing witnesses to the foregoing written instrument dated April 5, 1939, purporting to be the LAST WILL AND TESTAMENT OF Erwin D. Bixler (hereinafter called the "decedent").

2. Such instrument was on the date thereof duly executed, published and declared by such decedent to be the Last Will and Testament of such decedent.

3. At such time, such decedent was the full age of twenty-one years, of sound and disposing mind and memory, under no coercion, compulsion or restraint, and competent to devise his/her property.

4. Such decedent signified that such instrument was his/her Last Will and Testament, and duly executed same, in the presence of the subscribing witnesses thereto, namely, the affiant and Gertrude Schultz.

5. In the presence of such decedent and in the presence of each other, each of subscribing witnesses attested and signed the same as witnesses thereto.

s/ D. BURDETTE CUSTER

Subscribed and sworn to before me, in witness of which, I hereunto affix the seal of such Court, and subscribe my name at Decatur, Indiana, this 26 day of October, 1960.

(SEAL)

s/ RICHARD D. LEWTON Clerk

STATE OF INDIANA, COUNTY OF ADAMS, SS:

CERTIFICATE OF PROBATE

I, Clerk of the Circuit Court of Adams County, Indiana, do hereby certify that: (1) the foregoing Will and Testament of Erwin D. Bixler, deceased, has been duly admitted to probate before the Judge of the Adams Circuit Court; (2) the same was proved by the examination under oath of D. Burdette Custer, one of the subscribing witnesses thereto and by the examination under oath of _____; (3) such will has been recorded in Will Record N page 188 in the Will Records of such County; and (4) a full and complete record of such will and of the proof and examination of the witness by whom the same was proved and of the Order of Probate relating thereto has been made and is now of record in the records of the Clerk of such county pertaining to such Court.

In TESTIMONY WHEREOF, I have hereunto affixed the seal of such Court, and subscribed my name at Decatur, Indiana, this 26 day of October, 1960.

(SEAL)

s/ RICHARD D. LEWTON
Clerk Adams Circuit Court