

Will of Ernest Burkhart

Name in Record	Reason for Being in Record	Date of Record
Ernest Burkhart	Of Blue Creek Township; makes his last will & testament	Jan. 26, 1943
Bessie Myers	Sister; shares balance of estate with siblings	
Margaret Kallenberger	Sister; shares balance of estate with siblings	
Paul Burkhart	Brother; shares balance of estate with siblings	
Katharyne Nelson	Of Decatur; witnessed Ernest Burkhart making his last will	
Nathan C. Nelson	Of Decatur; witnessed Ernest Burkhart making his last will	
Ernest Burkhart	Died	June 27, 1961
Paul Burkhart	Oath of death	July 7, 1961
Richard D. Lewton	Clerk	
Katharyne Nelson	Subscribing witness; oath of validity of will	July 7, 1961
Richard D. Lewton	Clerk	
Richard D. Lewton	Clerk; will has been admitted to probate	July 7, 1961

#5663

LAST WILL AND TESTAMENT

I, Ernest Burkhart, of Blue Creek Township, Adams County, Indiana, do hereby revoke all wills, as well as all other instruments of a testamentary nature, heretofore made by me, and do hereby make, publish and declare this to be my last will and testament, in manner and form following:

(1)

I direct that all of my just debts and funeral expenses be paid as soon after my death as shall be convenient.

(2)

All of the rest, residue and remainder of my estate, of whatever nature, whereof I may die seized, or possessed, or to which I may be entitled, at the time of my death, I give, devise and bequeath to my sisters and brother named as follows: Bessie Myers, Margaret Kallenberger and Paul Burkhart, share and share alike.

IN WITNESS WHEREOF, I have on this 26th day of January, 1943, at the City of Decatur, Indiana, signed, sealed, published and declared the foregoing instrument as, and for, my last will and testament, in the presence of each and all of the subscribing witnesses, each of whom I have requested in the presence of each of the others to subscribe their names with their addresses, as attesting witnesses, in my presence and in the presence of the others.

s/ ERNEST BURKHART

The foregoing instrument was subscribed, sealed, published and declared by Ernest Burkhart, the testator above-named, as, and for, his last Will and Testament, in our presence, and in the presence of each of us, and we, at the same time, at his request, in his presence, and in the presence of each other, hereunto subscribe our names and residence as attesting witnesses, this 26th day of January, 1943.

NAMES

ADDRESS

s/Katharyne Nelson

Decatur, Ind.

s/ Nathan C. Nelson

Decatur, Indiana

AFFIDAVIT OF DEATH AND PROOF OF WILL AND CERTIFICATE OF PROBATE (BY SUBSCRIBING WITNESS)

Estate No 5663

STATE OF INDIANA, }
COUNTY OF ADAMS } SS:

IN THE ADAMS CIRCUIT COURT

RE ESTATE OF }
ERNEST BURKHART }
Deceased }

Docket _____ Page _____

AFFIDAVIT OF DEATH

PAUL BURKHART, being duly sworn, on oath says that Ernest Burkhart died on or about the 27th day of June, 1961 and at the time of such death was a resident of such county and estate.

(SEAL)

s/PAUL BURKHART
Paul Burkhart

Subscribed and sworn to before me this 7 day of July, 1961.

Richard D. Lewton, Clerk

PROOF OF WILL (BY SUBSCRIBING WITNESSES)

Katharyne Nelson, being duly sworn by the undersigned Clerk of the Adams Circuit Court of Adams County, Indiana, on oath says:

1. Affiant is one of the subscribing witnesses to the foregoing written instrument dated January 26, 1961, purporting to be the LAST WILL AND TESTAMENT OF Ernest Burkhardt (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 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 Nathan G. Nelson.
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/ KATHARYNE NELSON
Katharyne Nelson

Subscribed and sworn to before me, in witness of which, I hereunto affix the seal of such Court, and subscribe my name at Decatur, Adams County, Indiana, this 7th day of July, 1961.

(SEAL)

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 Ernest Burkhardt, deceased, has been duly admitted to probate before Judge Adams Circuit Court; (2) the same was proved by the examination under oath of Katharyne Nelson, one of the subscribing witnesses thereto; (3) such will has been recorded in Will Record N page 285 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 7 day of July, 1961.

(SEAL)

Richard D. Lewton
Clerk Adams Circuit Court