

## Will of Matthias Miller

Name in Record	Reason for Being in Record	Date of Record
Matthias Miller	Of Decatur; makes his last will & testament	Feb. 26, 1896
Margaret Kerber	Daughter; to share entire estate with siblings	
Elizabeth C. Wilhelm	Daughter; to share entire estate with siblings	
Michael Miller	Son; to share entire estate with siblings	
Matthias Miller	Son; to share entire estate with siblings	
John Miller	Son; to share entire estate with siblings	
Michael Miller	Son; appointed executor of will of Matthias Miller	
Frank H. Schirmeyer	Witnessed Matthias Miller making his last will	
John D. Edwards	Witnessed Matthias Miller making his last will	
Matthias Miller	Died	Jan. 27, 1905
Frank H. Schirmeyer	Subscribing witness; oath of death & validity of will	Feb. 3, 1905
David Gerber	Clerk	
Paul Baumgartner	Deputy	
David Gerber	Clerk; will has been admitted to probate	Feb. 3, 1905
Paul Baumgartner	Deputy	

## Last Will and Testament of Matthias Miller.

No. 731.

I, Matthias Miller, of the City of Decatur in the County of Adams, in the State of Indiana, being of sound mind and memory and realizing the uncertainty of this life do hereby make my last will and testament hereby revoking and making void any and all wills by me heretofore made of any, that is to say:

Item First: It is my will and I direct that my body be decently interred in a manner corresponding with my condition in life.

Item Second: I direct that all my just debts and funeral expenses be paid out of my estate as soon after my decease as the same reasonably can be done.

Item Third: It is my will and I direct that as soon after my decease as practicable my executor hereinafter named shall collect all notes and claims due me except the notes owing by my children as mentioned; and that he shall sell all my personal property, my real estate being in Lot Number one hundred and seventy-three (173) in the original plot of the town now city of Decatur Adams County, Indiana on such terms as my executor may deem to the best interest of my estate, and when my real estate shall have been converted into money and after the payment of all my just debts and funeral expenses, I direct that the residue of my said estate shall be equally divided among my five children, namely: Margaret Kerber, Elizabeth C. Wilhelm, Michael Miller, Matthias Miller and John Miller share and share alike; and having made advancements to certain of my children to wit: to my son Matthias Miller \$400<sup>00</sup> to my son John Miller \$400<sup>00</sup> and to my daughter Elizabeth C. Wilhelm \$1,000<sup>00</sup> for which amounts I now hold the notes of said three children respectively. I direct that said advancements be taken into account in making such distribution and that the amounts so advanced shall be deducted from the shares of said Matthias John and Elizabeth respectively; and that after such distribution

## Last Will and Testament of Matthias Miller.

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the said notes shall be returned to the said makers.

Item Fourth: I hereby nominate and appoint my son, Michael Miller, Executor of this my last will and testament, with full power to act as such without being required to give my bond and without authority of any Court, provided the same can be done without conflicting with the laws of the State of Indiana.

In witness whereof I have hereunto set my hand this 26 day of February A. D. 1876

Matthias Miller, Sen

Signed by the said Matthias Miller and by him published and declared to be his last will and testament and we have hereunto affixed our names as subscribing witnesses at his request, in his presence and in the presence of each other, this 26 day of February A. D. 1876

Frank M. Schirmeyer  
John W. Edwards

State of Indiana, Adams County, ss:  
Be it known, That Frank M. Schirmeyer, one of the subscribing witnesses of the last Will and Testament of Matthias Miller, sen. 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, deposed as follows:

That Matthias Miller, sen. deceased, on the 27 day of January, 1876, that he left the foregoing as his last Will and Testament; that the undersigned was present and saw the said testator sign his name to the same, and he, also, published and declared that the same was his last Will and Testament; that he was of sound mind and memory, fully competent to devise his property, and was under no restraint or coercion whatever; That Frank M. Schirmeyer and John W. Edwards each signed their names to the same as subscribing witnesses, in his presence, and at his

## Last Will and Testament of Mathias Miller,

request, and in the presence of each other,  
Frank M. Schirmeyer.

Subscribed and sworn to before me, this 3<sup>rd</sup> day  
of February 1905.

David Gerber, Clerk.

By Paul Baumgartner, Deputy.

State of Indiana, Adams County, Ind:

I, David Gerber, Clerk of the Adams Circuit  
Court, of Adams County, Indiana certify that  
the above and foregoing Will of Mathias Miller,  
senior late of Adams County, deceased, has been  
duly admitted to probate, that its due execution  
was this day proven by Frank M. Schirmeyer  
whose proof, together with said Will, have been  
duly recorded on pages 288 289-290 Record "D"  
of Wills, in this office.

Witness my hand, and seal of said Court,  
this 3<sup>rd</sup> day of February, 1905.

David Gerber, Clerk.

By Paul Baumgartner, Deputy.

