

WILL AND TESTAMENT!

— OF —

Henry Burkett.

And the Proof Thereof

James H. Ribler.

Filed *6th* day of *May* 1892

Wilton O. Rees

CLERK.

Recorded in Mill
Record 10 at pages
301, 302, & 303.

Box 88

ATTORNEY.

THE STATE OF INDIANA, Fulton County, ss:

BE IT REMEMBERED, that on the 6th day of May 1892

James H. Bibler
one of the subscribing witnesses to the within and foregoing last Will and Testament of
Henry Burkett late of said County, deceased, person-
ally appeared before The Clerk of the Circuit Court of Fulton County,
in the State of Indiana, and being duly sworn by the Clerk of said Court, upon his oath,
declared and testified as follows, that is to say: That on the 16th day of February 1891
he saw the said Henry Burkett sign his name to said instru-
ment in writing as and for his last Will and Testament, and that this deponent, at the same
time, heard the said Henry Burkett declare the said instrument
in writing to be his last Will and Testament, and that the said instrument in
writing was, at the same time, at the request of the said Henry Burkett
and with his consent attested and subscribed by the said James H. Bibler
and Ovid P. Ormond
in the presence of said testator, and in the presence of each other, as subscribing witnesses
thereto, and that the said Henry Burkett was, at the time of the sign-
ing 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,

James H. Bibler

Sworn to and subscribed by the said James H. Bibler before
me, Wilton O. Rees Clerk of said Court, at Richester Ind.
the 6th day of May 1892
Wilton O. Rees Clerk.

In attestation whereof I have hereunto subscribed my name and
affixed the seal of said Court.
Wilton O. Rees Clerk.

STATE OF INDIANA, Fulton County, ss:

I, _____, Clerk of the Circuit Court of Fulton
County, Indiana, do hereby certify that the within annexed Will and Testament of
_____ has been duly admitted to probate, and duly
proved by the testimony of _____ one of the subscribing
witnesses thereto, that a complete record of said Will, and of the testimony of the said
_____ in proof thereof, has been by me duly made and
recorded in Book _____, at Pages _____ 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 _____ this _____ day of _____ 18

Clerk Circuit Court of Fulton County.

In the name of the benevolent
Father of all, I Henry Burkitt,
Richard Tomb's Fulton County and
State of Indiana, Being of sound mind,
do make and publish this my last-
will and testament hereby revoking all
former Wills by me made.

Item 1. It is my will that all my
just debts of whatever character or nature
they may be at the time of my demise
together with my last sickness and funeral
expenses be paid out of my estate.

Item 2. It is my further will that
my Executor hereinafter named shall
purchase and cause to be erected at the
head of my grave and also to mark the
resting place of my beloved and departed
wife Catharine Burkitt a Tombstone
not to cost less than three, nor to exceed
five hundred dollars.

Item 3. It is my further will that
my Executor hereinafter named shall
convert to money all my Real Estate
situated in Marshall County and
State of Indiana and described as
follows to wit:

In attestation whereof, I have hereunto subscribed my name and affixed the seal of said
Court, at..... this..... day of..... 18

Clerk Circuit Court of Fulton County.

The North West quarter of Section No Five (5) Township No Thirty two (32) North of Range No One (1) East. Also the West half of the North West fractional quarter of Section No Seven (7) Township No Thirty two (32) North of Range No One (1) East. Also a strip forty rods in width across the East end of the middle third of Section No Six (6) Township No Thirty two (32) Range No One (1) East.

Also ten acres of land lying in the South East Corner of the North third of Section No Six (6) in same Township and Range aforesaid the said ten acres to be forty rods each way containing in all thirty seven acres.

It is my further will that my said Executor shall sell all of my Real Estate of which I may die the owner of as soon after my demise as he can find or procure a purchaser or purchasers therefor he to use his best endeavors to obtain for said lands all it is worth he that is my said Executor shall have the exclusive right to determine what that shall be my said Executor to have the power and authority to

accept for the deferred payments of any there should be on said land & lots secured by Mortgage on the land so sold by him.

I do will and bequeath to my beloved Children namely to my Daughter Rebecca Overmyer and my son Levi Burkitt and to my daughter Mary Overmyer and to my son Daniel Burkitt, George H. Burkitt, Ephraim Burkitt and William H. Burkitt and to my daughter Susanna Worthington of the above named Children are to receive one ninth of the whole of my estate of which may die seized after my just debts, last sickness and funeral expenses Tombstone have been paid for and to my beloved daughter Susannah Overmyer I will one half of one ninth I have and to my beloved Grandson Austin Duckermiller one half of one ninth of my said estate as above herein set forth.

I do hereby nominate and appoint my son William H. Burkitt Executor of this my last will and testament upon his filing same

In attestation whereof, I have hereunto subscribed my name and affixed the seal of said Court, at this day of 18

.....
Clerk Circuit Court of Fulton County.

To the Honorable Justices of the Supreme Court of the State of New York

Clerk of the Fulton County Circuit Court
a good and sufficient Bond for the
faithful discharge his duties and I hereby
authorize and empower him to compromise
adjust release and discharge in such a
manner as he may deem proper the debts
and Claims due me

In Testimony hereof
I have hereunto set my hand and seal
this 17th day of February in the year
one Thousand eight hundred and ninety
one

Henry B. Kilt

Signed and acknowledged
by said Henry B. Kilt as his last will
and Testament in our presence and signed
by us in his presence

Ovid P. Osmond
James H. Bibler

Will of
Henry B. Kilt

No 800

Estate of Henry
Burket. Deceased

By Levi Burket.

Adm. & Bonus Non
with will annexed

Final Report

set for Monday
Oct. 8th 1894

Filed in Clerks Office,

SEP 8 1894

Milton Rice

CLERK

Wm. Montgomery

The State of Indiana }
 County of Fulton }
 In the matter of }
 the estate of Henry }
 Burket Deceased }
 Report by Levi Burket }
 Administrator de }
 bono non with will }
 annexed }
 by the }
 Court }
 August }
 September }
 Term 1894 }

Levi Burket Administrator of
 the estate of Henry Burket
 deceased shows to the court
 that on the 9th day of May
 1892 George H. Burket was
 appointed Administrator of said
 estate with will annexed
 and had inventory taken paid
 debts, took receipts and finally
 carried out the provisions of
 the will. That on the
 day of July 1893 before he had
 made any current report
 said George H. Burket died, and
 on the 4th day of July 1893
 the undersigned Levi Burket was
 appointed Administrator de
 bono non with will annexed and he
 shows to the court that he
 is chargeable as per inventory on
 file dated May 31/92 with

Interest collected	144.30
Received from rent	224.88
Received from all debt on current inventory	20.00
	<hr/>
	1694.94

Amount of Debt forward \$1676.94

which he owes credit for

Money paid out as

follows first by Geo

H. Burkett

No 1 Getzinger & Smith worth \$300.00

No 2 S C Loring 1.00

No 3 O. Egan & Co 55.00

No 4 S J Loring 4.00

No 5 Enrich & Muntz 10.00

No 6 Ephraim Burkett 438.00

No 7 M R York 1.79

No 8 M. Batters & Son 15.00

No 9 Amasa Johnson 1.00

No 10 Arthur D. Senner 4.59

No 11 " " " 28.41

No 12 " " " 61.45

and the following receipts \$916.74

Future by Levi Burkett

No 13 Albert J. Gould 25.00

No 14 Enrich & Muntz 3.00

No 15 M O Rees 2.00

No 16 Man. S. S. Co 25.00

No 17 J. C. Fletcher Clerk 354.29

No 18 Philip Dickman 12.00

No 19 Arthur D. Senner 66.24

No 20 " " " 44.85

No 21 Miller & Burkett 14.00

No 22 M O Rees, Clerk 34.42

No 23 Northrup & Co at this time

No 24 of Michael Burkett charged 69.40

No 25 Enrich & Muntz 22.00

Amount of Debt found	1676.94
Amount of Credit ...	1616.73
29 Adams Bill	40.20
26 Lux Receipt,	49.71
	<u>1706.44</u>
	1676.94
Amount paid by death	29.50

And this Administrator Shows to the Court that all the debts of said Estate have been collected and that all the debts have been paid, that the same has been fully settled as to the personal property, except the note in suit against Michael Becket which cannot now be collected, but the costs of procuring have been paid and some times in the future the same may be paid to the heirs and Executors of Henry Becket Decd, and he asks credit for the same as charged to him in inventory. And he shows to the Court that provisions 1 & 2 of the will have been fully carried out but that items 3 and 4 has not been read which items ~~are~~ authorizing the executor William H. Becket to sell the real estate and convert the same into money as he may think just and right that said executor died before the ~~decedent~~ heirs and said lands belong

equally to the heirs except Susannah
Kermyer that of her 9th to be
given to her son Austin Burkman
And he says there is no use
continuing this Administration
that when they can find a
purchaser for said land the
heirs and Legates can make
deeds and join in the same
which will conform to the
terms of the will as near as
the Administrator he desires now
and he shows to the Court that
all the moneys which actually came
into his hands as such Administrator
was only in fact \$678.³⁶/₁₀₀ Dollars
says he has paid out the sum
of \$769.²⁰/₁₀₀ showing that he paid
out \$117.⁸²/₁₀₀ dollars more than
ever came into his hands but he
says he has what are hands
belonging to said estate with
which he can reimburse himself
as the Legates and heirs consent that
out of the crops could be paid
expenses of the Working Suit
and any deficiency in the property
to pay debts and Legates, and
he says he has so reimbursed
himself as their desire to save
the land from being sold for
the payment of debts

He says that there is no longer a
necessity for Administration and he
asks to be discharged and be
saved from further costs and
he says that he files herewith
a copy of Dine Mill and
makes it a part of this his
final Report. He says he has
paid all the costs. He says the
facts set forth above are true
I am, Sir,
Your obedient

Administrator

Subscribed and sworn to
before me: this 7th day
of September, 1894
Michael L. Gossick
Notary Public