

# WILL

①

I, Franziska Duerner or Duernor, of the city of Erie, County of Erie, and State of Pennsylvania, being of sound mind, memory, and understanding do hereby make and publish this my last will and testament, hereby revoking and making void all former wills and testaments by me at any time heretofore made. X

I give and bequeath unto my daughter Amelia Mehl, wife of Frank Mehl, the sum of seventy five (75) dollars to compensate her for her services rendered.

Next, after the payment of my just debts, if any, the charges of settling my estate, my funeral expenses, said seventy five dollars, to said Amelia Mehl, and twenty five (25) dollars unto the St. Joseph's Roman Catholic Church of Erie, Pa for the reading of masses for the repose of my immortal soul and the souls of the deceased members of my family (a receipt from the priest in charge of said church upon receipt of the money by him to be a sufficient receipt in my Executor) I give devise and bequeath all the rest residue and remainder unto my children said Amelia Mehl, Elizabeth Eulen, Anna Weimer, George Duerner, Margaritha Yochim, Edna Biehl, Fred Babo, and John Duerner each of them one ninth thereof and all the children together, of my deceased daughter Mary Baumann, deceased, they being Mary Baumann, John Baumann, Franziska Baumann, Jessie Baumann, Ruth Baumann and Nellie Baumann, the one ninth thereof and I give and bequeath unto my daughter Kate Gehrlen the sum of one dollar and no more, she having received already more than her share of my estate or property and if she does not demand said dollar from my executor within one year after my death she shall receive nothing, and a recital by my executor in his account that she has not demanded, the same shall be considered as sufficient evidence that she has not done so. If said dollar is demanded it shall be taken out of my estate and the balance divided

into nine parts as stated.

And lastly I nominate, constitute and appoint my son, John Diener, to be the Executor of this my last will and testament he to have the right to sell all of my estate real, personal, and mixed excepting the Cemetery lot, for the best price that he can get for the same and to make a good deed or deeds, bill or bills of sale for the same to the purchaser or purchasers, he may sell either at public or private sale whichever may seem best to him without any proceedings whatsoever in court and then to divide the money so realized, or any money that may be on hand, as hereinbefore stated.

In witness whereof I, Franziska Diener or Duener have to this my last will and testament set my hand and seal this 30<sup>th</sup> day of October A.D. one thousand nine hundred and eight (1908)

\* *Franziska Diener Duener* (L.S.)  
Signed, sealed, published, and declared by the above named testatrix, Franziska Diener or Duener, as and for her last will and testament in presence of us, who at her request and in her presence and in the presence of each other have subscribed our names as witnesses thereto.

*Josephine Lippmann*  
*John B. Eisenhart*

I, Franziska Durner or Duerner of the City Of Erie, County of Erie and State Of Pennsylvania being of sound mind, memory and understanding do hereby make and publish this my last will and testament hereby revoking and making void all former wills and testaments by me at any time heretofore made.

First I give and bequeath unto my daughter Amelia Mehl, wife of Frank Mehl the sum of seventy five (75) dollars to compensate her for her services rendered. Next after the payment of my just debts if any, the charges of settling my estate, my funeral expenses, said seventy five dollars to said Amelia Mehl, and twenty five dollars unto the St. Joseph's Roman Catholic Church of Erie, Pa. for the reading of masses for the repose of my immortal soul and the souls of the deceased members of my family. (A receipt from the priest in charge of said church upon receipt of the money by him to be a sufficient receipt for my Executor) I give devise and bequeath all the next residue and remainder unto my children said Amelia Mehl, Elizabeth Kuhn, Anna Weaver, George Duerner, Margaretha Yochim, Ida Biebel, Isabelle Babo and John D uerner each of them the one ninth thereof and all the children together of my deceased daughter. Mary Baumann deceased they being Mary Baumann, John Baumann, Franziska Baumann, Joseph Baumann, Ruth BAumann and Nellie Baumann the one ninth thereof and I give and bequeath unto my daughter Kate Gehrlein the sum of one dollar and no more, she having received already more than her share of my estate or property and if she does not demand said dollar from my executor within one year after my death she shall receive nothing and a recital by my executor in his account that she has not demanded the same shall be considered as sufficient widence that she has not done so. If said dollar is demanded it shall be taken out of my estate and the balance divided unto nine parts as stated. And lastly I nominate, constitute and appoint my son John Duerner to be the Execudor of this my last will and testament, He to have the right to sell all of my estate, real, personal and mixed excepting the cemetery lot, for the last price that he can get for the same and to make a good deed or deed's, bill or bill's of sale for the same to the purchaser or purchaser's. He may sell either at public or private sale whichever may deem best to him without any proceeding's whatsoever, in court and then to divide the money realized or any money that may be on hand as heretofore stated.

October 30, 1908