

Last Will of Jacob Becker

The State of Ohio
Cuyahoga County

Civil Docket No. No. 422.

Be it remembered that heretofore to wit on the 5th day of April A. D. 1876, at a Probate Court began and held at the Probate Court Room in the City of Cleveland in said County by and before Daniel R. Tilden, Judge of said Court, was presented for Probate, the last Will and Testament and the Codicil thereto of Jacob Becker, late of the City of Cleveland, County of Cuyahoga and State of Ohio deceased, and the testimony of the subscribing witnesses to said Will and said Codicil having been reduced to writing and signed by said witnesses and by them sworn to in open Court and upon examination the Court find from the testimony of said witnesses that the said Testator at the time of executing his said Will and the Codicil thereto was of full age, of sound disposing mind and memory and was not under any restraint, and that said Testator did call upon said witnesses to attest the due execution of said Will and said Codicil and that they did sign their names as witnesses to said Will and said Codicil in the presence of said Testator.

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and that said Testator did sign and acknowledge said Will and the Codicil thereto to be his last Will and Testament in the presence of said witnesses. Whereupon it is considered and held by the Court that said Will and the Codicil thereto are legally proven and that said Will are approved and allowed as and for the last Will and Testament of the said Jacob Becker deceased, and the Court order that said Will be recorded in the Probate Record of Wells of said County together with the testimony, and which said Will, Codicil and Testimony are in the words and figures following to wit:

Will
I was the Name of the Benevolent Father of all:
I, Jacob Becker of East Cleveland, Cuyahoga County & State of Ohio do make & publish this my last will & testament.
My will is, that all my just debts & general expenses shall of my executor hereinafter named, be paid out of my estate as soon after my decease as shall by him be found convenient.
All the rest & residue of my estate, real, personal or mixed or which I shall die seized or possessed, I give, devise and bequeath to be equally divided to and among my children & their heirs & also to my grand daughter Caroline W. Bridge water, but with the understanding that the share of my said grand daughter is not to be set over to her during her natural life, but the same shall be invested by my said executor in such a manner as will in his judgment yield the greatest revenue & my said executor is hereby required to pay over to my said grand daughter each & every year during her natural life, said revenue.
If my said grand daughter shall die without issue then her said share is to be divided equally among my said children & their heirs; but if she shall die, leaving issue, then her said share is to be divided among them share & share alike.
I do nominate & appoint my beloved son Michael Becker, executor of this my last will and testament, hereby authorizing & empowering him to sell by private sale or in such manner upon such terms of credit or otherwise, as he may think proper, all or any part of my real estate & deeds to purchasers, to execute, acknowledge & deliver in fee simple.
I desire that my said executor be not required to give any bail. I do hereby revoke all former wills by me ever made.
In testimony hereof I have hereunto set my hand & seal this 5th day of Jan'y A. D. 1869.

Signed & acknowledged by the said Jacob Becker as his last will & testament in our presence & signed by us in his presence.
Jacob Becker ^{my} ~~dear~~ ^{will}
Julius Scheldt
E. Hesse Mueller

Whereas, I, Jacob Becker of East Cleveland have made my last will and testament in writing, bearing date Jan'y 5, 1869 & have

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thereby given, devised, bequeathed the rest & residue of my estate, real, personal & mixed, after the payment of all my just debts to my children & their heirs & to my grand daughter therein named & to her under certain restrictions also therein mentioned.

Now for the purpose of a fair & equal division of my real estate among my children & my said grand daughter & for the purpose of avoiding all disputes & trouble between them in dividing my real estate, I do, by this my writing which I hereby declare to be a codicil to my said will to be taken as a part thereof, will & direct that my said real estate shall be divided among my children & my grand daughter as follows:

1. To my daughter Magdalena now married to William Beckenbach & to her heirs, I give & devise so much of my farm situated in the Township of East Cleveland, Cuyahoga County Ohio in Lot No. 344 as is contained within the following boundaries: Commencing in the center of Superior Street on the S. W. corner of my land, thence northerly along the west line of my land 8 chs. & 32 links to a stone, thence easterly along the north line of my land 3 chs. & 3 links to a post, thence southerly & nearly parallel with the west line 8 chs. & 85 links to the center of Superior Street, thence westerly along the center of Superior Street 3 chs. & 43 links to the place of beginning, containing two $\frac{93}{100}$ acres of land, upon the express condition that she or her heirs shall pay to my executor in my will named, the sum of seven hundred & eighty three dollars, within one year after my decease & which said sum is to be expended by my said executor as hereinafter provided.

2. To my daughter Catharine now married to Henry Beckenbach & to her heirs I give & devise so much of my said farm as lays within the following boundaries, viz: Commencing at a point in the center of Superior Street & 3 chs. & 43 links easterly from the S. W. corner of my land, thence running northerly on the east line of land given to my daughter Magdalena 8 chs. & 85 links to a post, thence easterly along my north line 3 chs. & 33 links to a post, thence southerly 9 chs. & 28 links to the center of Superior Street & thence westerly along the center of said Street 3 chs. & 23 links to the place of beginning, containing two $\frac{94}{100}$ acres of land, also upon the express condition that she or her heirs shall pay to my executor in my will named the sum of seven hundred & ninety eight dollars within one year after my decease & which said sum is to be expended by my said executor as hereinafter provided.

3. To my daughter Mary now married to George M. Abel & to her heirs, I give & devise so much of my said farm as lays within the following boundaries viz: Commencing at a point in the center of Superior Street & 6 chs. & 66 links easterly from the S. W. corner of my land, thence running northerly on the east line of land given to my daughter Catharine 9 chs. & 28 links to a post in the north line of my land; thence easterly along my north line 3 chs.

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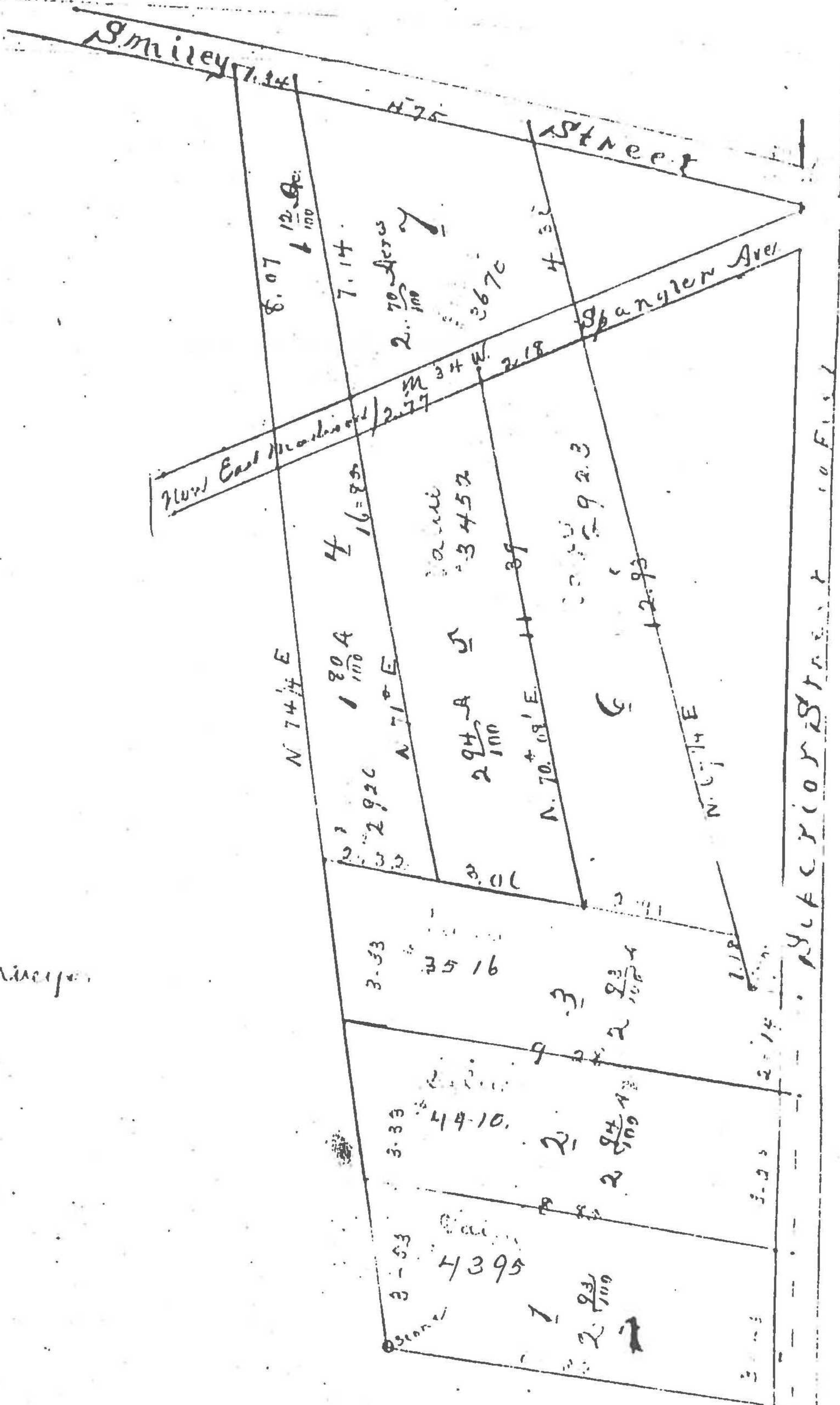
to a post, thence southerly & 20 chs. & 27 links to a post, thence westerly 1 ch. & 14 links to a stone, thence southerly to the centre of Superior Street, thence westerly along the centre of Superior Street 2 chs. & 10 links to the place of beginning, containing Two $\frac{83}{100}$ acres of land & in addition thereto the sum of Ninety six dollars to be paid to her or her heirs within one year after my decease, out of the money which my said executor shall have received from my said children Magdalena & Catharine Beckenbach & Michael Becker or their heirs.

4. To my daughter Elizabeth Becker & to her heirs, I give & devise so much of my said farm as lays within the following boundaries, viz: Commencing in the north line 10 chs. & 19 links easterly from the north west corner of my said farm in which corner a stone is set thence easterly along the north line of my land 2 chs. & 50 links to the center of Spangler Avenue & from thence also along the north line of my land easterly 2 chs. & 7 links to the center of Dudley Street, thence southerly along the centre of Dudley Street 1 ch. & 34 links, thence westerly 7 chs. & 14 links to the center of Spangler Avenue & from thence westerly 9 chs. & 7 links to the east line of land given & devised to my daughter Mary & from thence northerly 2 chs. & 32 links to the place of beginning, containing one $\frac{80}{100}$ acre of land & in addition thereto the sum of Six hundred & ninety two dollars to be paid to her or her heirs within one year after my decease, out of the money which my said executor shall have received from my said children Magdalena & Catharine Beckenbach & Michael Becker.

5. To my daughter Juliane now married to Conrad Roly & to her heirs, I give & devise so much of my said farm as lays within the following boundaries viz: Commencing on the E. W. corner of land devised to my daughter Elizabeth, thence easterly along the south line of the land devised to my said daughter Elizabeth 9 chs. & 70 links to the center of Spangler Avenue, thence southerly along the center of Spangler Avenue 2 chs. & 77 links, thence westerly 11 chs. & 39 links to the east line of land devised to my daughter Mary & thence northerly along said east line to the place of beginning, containing Two $\frac{94}{100}$ acres of land & in addition thereto the sum of one hundred & sixty two dollars to be paid to her or her heirs within one year after my decease out of the money which my said executor shall have received from my said children Magdalena & Catharine Beckenbach & Michael Becker.

6. To my grand daughter Caroline Wohlgenuth under the same conditions & restrictions however as stated in my last will & testament, I give & devise the following part & parcel of my said farm & which is bounded as follows: Commencing at the E. W. corner of land devised to my daughter Juliane, thence easterly along the south line of the land devised to my said daughter Juliane 11 chs. & 39 links to the center of Spangler Avenue, thence southerly along the center of Spangler Avenue 2 chs. & 18 links to the south line of my land, thence westerly along said south line 12 chs. & 93 links to the place of beginning & containing Two $\frac{90}{100}$ acres of land.

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Arson Merchant
C. A. Surveys

Cleveland Oct. 23rd 1869

The State of Ohio
Cuyahoga County ss In the Probate Court.

Testimony in proof of the Codicil to the last Will and Testament of Jacob Becker deceased, late of the City of Cleveland in said County.

We, E. Hossenmüller and Julius Scheldt being duly sworn in open Court depose and say, that the said Testator signed the foregoing Codicil to his last Will in our presence and that he called upon us to witness the same as his Codicil to his last Will, and that we in his presence signed the same as sworn witnesses; and we on our oath further say, that the said Testator, at the time of executing said Codicil to said Will, was of full age, of sound disposing mind and memory, and was not under any restraint.

E. Hossenmüller
Julius Scheldt

Sworn to and subscribed before me, this 5th day of April A.D. 1869
J. M. Wilcox, Deputy Clerk