

R 1857

Petition

Recorded in Book vol 18, Page 428

The Heirs and legal representatives of John Riegel late of Jefferson Township Berks County deceased for the appointment of Three Commissioners to make Partition and Valuation of the Real Estate of said deceased—And now to wit. April 28.1857 all the Judges present. The Court on motion appoint **Jonathan Miller, Jonathan Loos and David Luckenbill** as Commissions to makes Partition and Valuation of the Real Estate of said deceased according to the act of Assembly in such case made and provided. Order Issued

To the Honorable the Judges of the Orphan Court of Berks County.

April Term 1857

The Petition of **Catharine Riegel**, Widow of **John Riegel**, late of Jefferson Township, Berks County, deceased, and **Jonathan Riegel, Jacob Riegel, Daniel Riegel, Michael Riegel, Simon Riegel, and Abraham Riegel**, sons and heirs at Law of the said **John Riegel**, deceased, and **Daniel Strouse**, Trustee of **John Riegel** another son and heir at law of the said deceased, and **Joseph Blatt** and **Catharine** his wife, late **Catharine Riegel**, daughter of the said deceased, **Benneville Weber** and **Sarah** his wife, late **Sarah Riegel**, daughter of the said deceased, **Daniel Moyer** and **Veronica** his wife, late **Veronica Riegel**, daughter of the said deceased, **Elizabeth Riegel, Hannah Riegel**, both daughters of the said deceased and **Isaac Kantner**, Guardian of **Sarah Berger, Devilla Berger, John Berger** and **Elisa Berger**, and **Philip Degler** Guardian of **Louisa Berger, Rebecca Berger, Isaac Berger** and **Emelia Berger**, minor children deceased, late **Rebecca Riegel**, who was also daughter of the said deceased. That the said **John Riegel**, died on the 15th day of December last, intestate leaving a widow and issue twelve children and eight Grand Children the above named Petitioners; that the said intestate died seized of the following described Real Estate; A Tract of Land on Plantation , Situate in Jefferson Township, and partly in upper Tulpehocken Township, said County, bounded by lands of **John Henne, Joseph Henne, Peter Fox, Isaac Lengel, Jonathan Miller, Daniel Riegel, David Lengel, Jacob Schader**, and the Heirs of **Michael Schader**, deceased, Containing about two hundred and twenty five acres, be the same more or less. Another Tract situate in the said upper Tulpehocken township, said County, adjoining Lands of **Peter Homan, Henry Resch**, and other land of the said deceased, Conveyed in his life time by agreement to Jonathan Riegel (no title granted) containing about Eleven acres more or less, another Tract of Woodland and situate principally in Penn Township, said County, adjoining Lands of **George Schaeffer, David Luckenbill, Michael Henne, John Speicher, Jesse Blatt**, and others, Containing Fifteen Acres more or less. Also another Tract of Land, or farm together with a Gristmill erected thereon, Situate in Penn Township, and County aforesaid, bounded by Lands of **John Conrad, Jacob Bright, John Geiss**, and the Tulpehocken Creek, Containing Sixty six acres and seventy seven perches; no partition or valuation being had. Your petitioners represent, that **Jonathan Miller, Jonathan Loos, and David Luckenbill** have been chosen, on behalf and with consent of all parties concerned, to make Partition of the real estate of the said decedent, to wit; the Premises aforesaid described, or in case the same cannot be divided among the parties without prejudice to or spoiling the whole to make, and as by Law required, to return a just appraisement there of the said court. Whereupon your petitioners prays that the said **Jonathan Miller, Jonathan Loos, and David Luckenbill**, may be appointed for the purpose aforesaid, and as in duty bound.

Signature of-Catharine X Riegel, Jess Riegel, Jacob Riegel, Daniel Riegel, Michael Riegel, Simon Riegel, Abraham Riegel, Daniel Trustee, Joseph Blatt and eight more in old German.

Recorded vol 6 page 420,421,422
Auditor's Report
Upon the account of Simon Riegel
and Samuel M. Klee, Administrators of
John Riegel, deceased
Filed Sept. 15, 1859
And confirmed nisi

To the Honorable the Judges of the Orphans Court of Berks County. The undersigned appointed by your honorable court auditor to audit the account of Simon Riegel and Samuel M. Klee, Administrators of John Riegel late of Jefferson township Berks County, deceased, and make distribution among the heirs, begs leave respectfully to report:

That having given one notice, agreeably to the rules of your court, he attended at the time and place appointed, and several of the parties interested being present, he entered upon the discharge of the duties of his appointment.

He has examined the said account, together with the papers, vouchers, and other evidences thereto belonging, and has restated the same in the manner shown in the foregoing statement marked A. The restated account shows a balance in the hands of the administrators of Five Thousand four hundred and ninety four Dollars and five cents (\$5494.05); which your auditor has distributed in the manner shown in the foregoing statement marked B. In order to make a proper distribution, it became necessary to bring in the proceeds of the Real Estate of the said John Riegel; and in distribution B, your auditor therefore included the balance in the hands of Simon Riegel and Joseph Blatt, Trustees of the Real Estate of John Riegel, as the same appears in the Auditors Report upon the account of the Trustees aforesaid, filed on the same day with the present report.

At the request of some of the heirs, the auditor has added Statement C; which shows the indebtedness of the heirs to each other on account of lands accepted at the appraisement in the Orphans Court.

All of which is respectfully submitted

Reading, Sept 15.1859
Wm M Baird
Auditor

Auditor's Report

Upon the account of Simon Riegel and Samuel m. Klee, Administrators of all and singular goods and chattels rights and credits which were of John Riegel, late of Jefferson township, Berks county, deceased.

(A)
Account

The accountants are charged with all and singular goods and chattels rights and credits which were of the said decedent, agreeably to the Inventory and appraisement thereof, filed in the Register's office, at Reading, amounting to	\$5500.65
To Increase on Sale of Goods	133.07
" Increase Interest on bonds and notes	170.43
" Rent received since Inventory was exhibited	294.00
" Grain sold	68.28
" Book Debts collected	12.83
" Real Estate sold to Jonathan Riegel, by contract of deceased,	

viz for \$2073.01 less widows third \$691		1382.01
Interest from Jacob Riegel, on advance payments on account of his share of the estate, to wit;		
On \$89.93 from April 20.1858 to Sept.15.1859	\$7.50	
" 250.00 from April 8.1859 to Sept.15.1859	<u>6.64</u>	14.04
Interest from Rebecca Berger, on advance payment:		
On \$423.35 from April 8.1859		11.08
Interest from Michael Riegel, on advance payt.		
On \$229.48 from April 20.1858		19.30
Interest from Elisabeth Riegel, on Ad. Payt.		
On \$325.68 from April 20.1858		27.40
Interest from Sarah Weber, on Ad. Payt.		
On \$350 from April 8.1859		9.15
Interest from Veronica Moyer, on Ad. Payt.		
On \$183.22 from April 20.1858		15.25
Interest from Hannah Ebling, on advance payments		
On \$337.71 from April 20.1858	\$28.24	
On \$100.00 from April 8.1859	<u>2.62</u>	30.86
Interest from John Riegel. On advance payt.		
On \$335.00 from April 20.1858	\$29.30	
On \$100.00 from April 8.1859	<u>3.95</u>	33.25
Interest from Jonathan Riegel, on purchase money of land bought by him by contract with decedent:		
On \$265.60, from April 1.1856 to 15 Dec. 1856	\$11.28	
On \$1382.01, from 15.Dec.1856 to 15.Sept.1859	<u>228.03</u>	239.31
From Michael Riegel Rent of Mill	203.93	
Int. on same from April 1.1859 to Sept.15.1859	17.81	
Rent of Mill, last year	270.00	
Int. on same from April 1.1859 to Sept.15.1859	<u>7.40</u>	499.14
Int. on three bonds of Daniel Riegel to hid father- now due		
On bond for \$173.94 due April 1.1857 to Sept.15/59	\$25.64	
On bond for \$173.94 due April 1.1858 to Sept.15/59	15.21	
On bond for \$173.94 due April 1.1859 to Sept.15/59	<u>4.77</u>	45.62
Interest on Catharine Blatts bond for \$423.35 to her father, the decedent, from the filing of inventory to payment		<u>61.11</u> \$8566.78

2. <u>Catharine</u> , wife of Joseph Blatt, on twelfth	\$954.71	
Deduct advancement	899.99	
Catharine's Share		54.72
The admns hold a note against her for interest for	\$93.93	
Deduct her share	54.72	
She still owes the admns	<u>39.21</u>	
3. Jacob Riegel, one twelfth	\$954.71	
Deduct advancement	223.21	
Jacob's Share		731.50
Jacob has received from the admns. & Trustees, vendue bill	\$22.86	
Cash	14.00	
Cash	89.93	
Cash	250.00	
And he is to be charged with int. on advance payt, as per account	14.04	390.83
Jacob has still to receive from admns. & Trustees	<u>340.67</u>	
4. <u>Daniel</u> to receive nothing		
5. <u>Rebecca Berger's</u> heirs, one twelfth	\$954.71	
Deduct advancement to their mother	434.36	
Their Share		520.35
To be divided into eight parts as follows;		
To Sarah Berger, a minor child, one eighth	65.04	
To Davilla Berger, a minor child, one eighth	65.04	
To John Berger, a minor child, one eighth	65.04	
To Theresa Berger, a minor child, one eighth	65.04	
To Louisa Berger, a minor child, one eighth	65.04	
To Isaac Berger, a minor child, one eighth	65.04	
To Rebecca Berger, a minor child, one eighth	65.04	
To Emelia Berger, a minor child, one eighth	65.04	
The admns. & Trustees have paid on account of the above		
\$423.35 and interest on the same-\$11.08- is charged in the		
Account making \$434.43-which deducted from \$520.34,		
Leaves-\$85.93 or for each of the children of Sarah Berger		
The sum of \$10.74 (<i>Sarah should have been Rebecca</i>).		
6. <u>Michael Riegel</u> , one twelfth	\$954.71	
Deduct advancement	96.06	
Michael's Share		858.65
Michael has received from admns. & Trustees	\$229.48	
Interest is charged on same in account	19.30	
He bought at sale to amount of	24.46	
The admns. are charged with rent due him and int.		
Thereon, as per account	499.14	772.38
Michael has still to receive from admns. & Trustees	<u>86.27</u>	

7.	<u>Simon Riegel</u> , one twelfth	\$954.71	
	Deduct advancement	74.00	
	Simon's Share		880.71
8.	<u>Elisabeth Riegel</u> , one twelfth	\$954.71	
	Deduct advancement	22.27	
	Elisabeth's Share		932.44
	Elisabeth has received of the admns. & Trustees	\$325.68	
	They are charged in the account, with int on same	27.40	
	She bought at sale to amount of	2.05	335.13
	Elisabeth has still to receive from admns. & Trustees	<u>577.31</u>	
9.	<u>Sarah, wife of Benneville Weber</u> , one twelfth	\$954.71	
	Deduct advancement	469.52	
	Sarah's Share		485.19
	Sarah has received from Trustees	\$350.00	
	and interest on same charged to admns.	9.15	
	She has still to receive	<u>126.04</u>	
10.	<u>Abraham Riegel</u> , one twelfth	\$954.71	
	Deduct advancement	18.26	
	Abraham's Share		936.45
	Abraham bought goods at sale amounting to	831.03	
	He has still to receive	<u>105.42</u>	
11.	<u>Veronica, wife of Daniel Moyer</u> , one twelfth	\$954.71	
	Deduct advancement	166.77	
	Veronica's Share		787.94
	She has received from admns.	\$183.22	
	and interest is charged in account	15.25	
	She has still to receive	<u>590.46</u>	
12.	<u>Hannah, wife of Jonathan Ebling</u> , one twelfth	\$954.71	
	Deduct advancement	12.29	
	Hannah's Share		942.42
	She has received from admns. , April 20/58	\$337.71	
	Int. is charged in account for same	28.24	
	She received April 8.1859	100.00	
	Int is charged for same	2.62	
	She still has to receive	<u>473.85</u>	

13. John Riegel, one twelfth	\$954.71	
Deduct advancement	86.68	
John's Share		868.03
John received from admns. on 1 April 1858	\$335.00	
Int is charged in account on same, to wit	29.30	
He received on 8 th April 1859	150.00	
Int. on same charged	3.95	
He has still to receive	<u>349.78</u>	

Balances in hands of Trustees and Admns.; with 2 cents gained in fractions

(C)

Statement

Showing the indebtedness of the heirs to each other on account of lands taken at the appraisalment in the Orphans Court.

Purpart No. 1. Accepted by Abraham at	\$5166.00
Deduct widow's dower	1722.00.
Int. from April 1.1858 to Sept.15.1859	292.17
	<u>\$3736.17</u>

Each share - \$287.395

Purpart No. 2 Accepted by Simon at	\$2988.00
Deduct widow's Dower	996.00
Int. from April 1.1858 to Sept.15.1859	168.96
	<u>\$2160.96</u>

Each Share- \$166.2275

Purpart No. 3. Accepted by Jonathan at	\$529.00
Deduct widow's dower	176.33
Int. from April 1.1858 to Sept.15.1859	29.95
	<u>\$382.62</u>

Each share- \$29.4325

Abraham owes Jonathan as above	\$287.395
Jonathan owes Abraham as above	29.4325
	<u>Balance due Jonathan</u>
	<u>257.96</u>

Abraham owes Catharine, Jacob. Daniel, Rebecca heirs, Michael, Simon	\$287.395
Simon owes Abraham, as above	166.2275
	<u>Balance due Simon</u>
	<u>\$121.17</u>

Abraham owes Elisabeth, Sarah, Veronica, Hannah & John
 Rebecca having left eight children, each would be entitled to the sum
 of \$35.9225.

Simon owes Jonathan, as above	\$166.2275
Jonathan owes Simon as above	29.4325
	<u>Balance due Jonathan</u>
	<u>136.795</u>

Which will be extinguished by going towards the payment of amount

Due by Jonathan to admns., on distribution- amount due	\$950.94
Deduct bal. above	136.79
And he will still owe admns.	\$814.15
Simon owes Catharine, as above	\$166.2275
But Catharine owes admns., in Distribution	39.21
Due Catharine	<u>\$127.0175</u>
Simon owes Jacob, Daniel, Rebecca's Heirs, Michael, Elisabeth, Sarah, Veronica, Hannah and John- \$166.2275 each	
Daniel's advancement was	\$1203.74
The shares of the other heirs in the Distribution are	<u>954.71</u>
Excess of advancement	<u>248.03</u>

If Simon retains the amount due from him to Daniel, on account of land taken by the former, to wit \$166.22, and Daniel pays in addition, to the administrators the sum of \$82.81, he will have refunded to the estate his entire advancement and in all future distributions will be entitled to an equal share with the other heirs. If this is done, there will be an additional fund of \$249.03 to be distributed among Daniel's twelve brothers and sisters and their heirs. To wit \$20.7525 for each living brothers and sisters and \$2.59 for each of the ?? Berger children.

Jonathan owes Catharine, Jacob, Daniel, Rebecca's Heirs, Michael, Elisabeth, Sarah, Veronica, Hannah and John-\$29.4325 Rebecca heirs are each entitled to the sum of \$3.68.

Daniel, in addition to his advancement, owes the admns. for the three bonds of his, and interest, with which they are charged; the sum of \$567.44.

The administrators in their account took credit for \$277.11, balance due on the bond of his father to Jonathan. This the auditor has stricken out; as the bond was given, instead of money, as an advancement. The amount paid by the father on account of this bond viz \$284.34, is the actual advancement and is charged to Jonathan in the distribution.

Bond and note of Jacob Riegel, outstanding and doubtful	\$1318.86
Bond of Jesse Blatt, error in appraisalment	25.69
Note of Daniel Riegel & Josiah Riegel his bail, with int., not recoverable	318.00
Cash paid for note to Simon Riegel	106.00
Note of Bank of Penna. Become worthless since received	10.00
Cash to Abraham Riegel	4.00
Cash paid Frederick Foltz	.90
Tobias Barto, Register	7.50
Simon Riegel work done	8.25
J. S. Richards, Esq. professional services	50.00
Accountants' Compensation- Samuel M. Klee & Simon Riegel	250.00
Expenses of audit	41.75
Accountants' Expenses- Samuel M. Klee & Simon Riegel	20.00
Bonds of Daniel Riegel, not due until April 1.1860/1/2	521.82