

## The Will of Friedrich Koch

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This is the Last Will and Testament of me Friedrich Koch the elder of Rowland Flat near Lyndoch Valley in the Province of South Australia. I will that my executors shall pay all my just debts funeral and testamentary expenses as soon as conveniently may be after my decease out of the readiest means that may come to their hands from my personal estate. And subject thereto I give and bequeath to my so Johann Christian Koch absolutely a German Waggon, iron plough and harrows, and all other my agricultural implements, tools, household furniture, books, bedding, one iron safe, wine brandy and all provisions, fuel, and other household stores: except such things as I have already specially assigned or before my decease shall have assigned to any other of my sons And except the things hereafter specifically bequeathed to my Wife for the term of her life I give and bequeath to my Wife Anna Dorothea Koch born Baum, for her use during her life my glass cupboard and all such household furniture, bedding, utensils and other things as before her marriage were belonging to her or since have been known in our family as being of her own proper use or in the keeping of herself. Also I give to her the best two of my cows to be picked out by herself: And after her decease I Will that the chattels and things hereinbefore bequeathed to my wife or as many of the same as she may have extant, shall go and absolutely belong to my daughter Johanne Louise Liebig, the wife Gottlob Liebig. I give devise and grant to my wife Anna Dorothea Koch born Baum the Right of Habitation, free of all taxes charges and costs and unrestricted in my new lease for the term of her life and I Will that a sufficient supply of firewood or fuel in a condition fit for her use and comfort shall be rendered and delivered to her door by her son Johann Christian Koch his heirs or assigns (or other the devisees of the land hereinafter devised in the first place to him) as often and in such quantities, as she may reasonably require the same And I make such supply of fuel a charge on the lands hereinafter devised to the said Johann Christian Koch or his executors and I will that in case of default she shall have power to enter and distrain for such supply as is hereinbefore mentioned upon such lands or any part thereof as for rent at all and any time during her natural life. I give devise and grant to my said wife the right of pasture for two cows in and upon all that the southern moiety of Section no. 2718 in the Hundred of Barossa such right of pasture to be enjoyed by my wife for her life free from any rent, hire, charges, costs and taxes whatsoever. And I give devise and grant to my wife Anna Dorothea Koch



born Baum for the term of her natural life an annuity or clear yearly rent or accrual sum of ten pounds of lawful British Money, to be yearly issuing and payable and to be received and taken by the said Anna Dorothea Koch or her assigns, out of and from and to be charged and chargeable upon all those the lands hereinafter devised to Johann Gottlieb Koch, that is to say upon all that the eastern moiety of section no. 2718 in the Hundred of Barossa. And upon all that the northern moiety of section 2721 in the Hundred of Barossa And upon all those two pieces of land containing respectively seven acres and four acres and a half acre part of section no. 2702 in the Wiltshire Special Survey, On all which said lands I do herewith charge the aforesaid annuity or yearly sum of ten pounds And I further give, devise and grant to my said wife for the term of her natural life (besides the aforesaid yearly sum of ten pounds) an annuity or clear yearly rent or annual sum of ten pounds of lawful British money, to be yearly issuing, payable and to be received and taken by the said Anna Dorothea Koch born Baum or her assigns, out of and from and to be charged and chargeable upon all those the lands hereinafter devised to Johann Christian Koch, that is to say, upon all that the western moiety of section 2718 in the Hundred of Barossa and upon all that the western moiety of section 2722 in the Hundred of Barossa and upon all those two pieces of land respectively containing nineteen acres and two acres one rood and thirty five perches or thereabouts parts of section no. 2702 in the Wiltshire Special Survey upon all which herein next before described pieces of land and half sections, I do hereby charge this last mentioned annuity of ten pounds. And I will that the said two annuities of ten pounds each shall commence from the day of my decease and be payable by half yearly instalments. And that the first of such instalments shall fall due on the last day of the first six calendar months immediately following my decease, but the second and each further half yearly instalment shall fall due and be paid in advance on the first day of the second and each following half year at the commencement of which my wife shall be living on earth, and in every case where any such instalment shall partly or wholly be left unpaid and in arrears for twenty one days next to the day when due I will that the said Anna Dorothea Koch or her assigns shall have power to enter and distrain for the same upon the lands or any part of the lands hereinbefore charged with the annuity of which any part shall be so in arrear. Whereas the lands hereinafter devised

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to the Executors of my eldest son Wilhelm August Koch (deceased) were by my sufferance in his occupation before and at the time of his death (although no alienation thereof has ever been made by me to him by settlement, bargain or contract whatsoever) and in his will they are treated as a devise from him to his executors upon certain trusts but upon the said devise no valid title can be founded to such lands neither can such trusts in respect thereof be carried into effect, because the entirety of the title, to such lands has always remained in me: And whereas during his last illness and ever since his wife has intimated to me her intention to remain his widow, and in consideration of her widowed condition and maternal cares for my sons children, I am willing to allow unto her out of the produce of such lands such advantages as are hereinafter specified whilst she shall remain such widow but not any longer term nor otherwise; seeing that by his testament (whereas all his personal property is bequeathed to his widow) she and his daughters are well and sufficiently provided for; for which reason also I have resolved to leave the said lands which belong to me exclusively to his sons. And whereas if a subdivision in kind were to be made of such piece of land and moiety of section, it would very materially depreciate their value as a whole, and confer but a small benefit on each son, whilst by giving to one a right of preemption and to trustees an executed power of sale of such lands according to valuation as hereinafter prescribed, the full value may be obtained and distributed to great advantage amongst all the sons. And whereas for sundry reasons me thereunto moving I have determined to confer the right of preemption upon the second son of my said deceased son, Now therefore I give and devise unto the executors of my deceased son Wilhelm August Koch (naturalised by the name of Wilhelm Koch) 1. all that piece of land containing nine acres and thirty three perches or thereabouts, part of section no. 2702 in the Wiltshire Special Survey with the buildings, garden, orchard, vineyard. 2. All that the eastern moiety of section no. 2722 in the Hundred of Barossa as the same are fenced and also in the plan (hereto subdivided) delineated and marked with all appertinances and with all deeds relative thereto, and all my estate right title and interest in and to the said land hereditaments and premises to have and to hold the said piece of land and the said moieties of section, and the fee simple and inheritance thereof to these, or the survivor of these, and the heirs executors or assigns of such survivor, as trustees for the

purposes and upon the conditions hereinafter expressed or contained that is to say: *In the first place* as to the said piece of land only, part of section no. 2702 in the Wiltshire Special Survey upon trust, that they shall suffer Eleanor Koch born Boehm the widow of my son William August Koch if and so long as she shall remain his widow to reside and have her comfortable habitation in the dwelling house on the said piece of land and that they shall allow unto her one equal half of the clear net proceeds of the garden, orchard and vineyard (as the same now are, or from time to time shall be on the said piece of land) for her own exclusive use and benefit And that they shall allow her from time to time also a supply of firewood or fuel sufficient for her reasonable use; And respecting such habitation fuel and moiety of net proceeds, I will that the executors of the said Wilhelm August Koch and every devisee or future possessor of the said piece of land shall at all times be accountable to the executors of this my will and that in all matters touching the extant quality, quantity or value of the said habitation, fuel or net proceeds of produce the decision of the executors of this my will, as between the said widow and any other party or parties interested in or under this devise shall be final and binding upon her and them under pain of losing every advantage she or they might otherwise have derived under this will. *Provided always* that in the event of the said Eleanora Koch born Boehm marrying again all the aforesaid rights of residence and habitation and to any supply of fuel and to any allowance of or from such produce or net proceeds as aforesaid shall from the day of her second marriage be of no effect and utterly fail and determine. *Provided always* that whilst such said right shall subsist or remain capable of taking effect it shall be lawful for the said trustees (and they are hereby required) to insert in any conveyance of the fee of the said piece of land they may make (as hereinafter mentioned) such provisions whereby the aforesaid rights of the widow of Wilhelm August Koch shall be effectually protected whilst she shall remain his widow according to the true intent and meaning of this Will And in the second place I give and devise unto the trustees aforesaid the said piece of land part of the said section no. 2702 (subject to the said rights of Eleanora Koch, born Boehm, if and whilst she shall remain widow of Wilhelm August Koch but afterwards absolutely) And all that the eastern moiety of section 2722 (aforesaid) Barossa only to such leases or contracts for lease, as I myself shall have executed and which at the time of my decease may not be fully expired, upon trust to hold

and (by themselves or others) manage or to let or devise, the said piece of land and moiety of section And with and out of the annual produce, rent, interest, or other income thereof and all the interest and accumulation therefrom, in their discretion to provide for or raise sufficient means for and towards the maintenance and education of each and all the children of the said William August Koch until the said piece of land part of section no. 2702 and respectively the said moiety of section and the fee simple and inheritance thereof may and shall be finally disposed of and conveyed by the said trustees in the manner hereinafter prescribed that is to say In the first place upon the further trusts that if Traugott Wilhelm Koch (the second son of the said Wilhelm August Koch) shall attain the age of twenty one years and shall agree to take the fee simple of the said piece of land and moiety of section at the valuation and under the conditions to be determined in the manner hereinafter prescribed the said trustees shall convey the said piece of land and moiety of section in fee simple to him, his heirs and assigns for ever, subject nevertheless as to the said piece of land part of section no.2702 whilst the aforesaid rights of the widow of William August Koch shall subsist or be capable of taking effect to such arrangements in trust or otherwise as shall be advised for effectually securing for her the full enjoyment of such right by deed or by Bill of Encumbrance to be entered on the Certificate of Title and in the Register Book, subject also to the paying or securing to and for the other sons of Wilhelm August Koch (respectively their issues of their shares in the piece or value in such manner and by such instalments as the said trustees shall determine) But if the said Traugott Wilhelm Koch shall die under age or shall not agree (after reasonable notice in writing given to him) to take the said piece of land (subject as aforesaid) and the said moiety of section in fee simple to such one of the sons of the said Wilhelm August Koch (being of full age) as will agree thereto (upon the refusal thereof being offered to him in the order and the manner hereinafter prescribed) as the price and under the payments instalments and conditions to be set by the trustees and if none of such sons will so take the said piece of land and moiety of section then upon trust and with full power for the said trustees to sell or exchange and to convey the said piece of land and the said moiety of section respectively any or every part or parts thereof to whosoever will agree with them the said trustees for it upon such price and conditions payments and terms as they may deem best or if the said trustees



should prefer to make partition they shall then have power to divide the said piece of land equally amongst them the sons of Wilhelm August Koch (respectively their issues in the manner hereinafter mentioned) provided always that the trusts hereinbefore in the second place set forth respecting the application of the annual income and increase thereof for maintenance and education of any the children of Wilhelm August Koch who may still be minors or unmarried shall continue and be faithfully carried out until the actual disposal and conveyance off the fee simple shall be executed as aforesaid *and ultimately* upon trust to receive hold securely invest at interest or apply and distribute all the proceeds which shall be obtained as consideration moneys of and for such disposal of the fee and conveyance and all the increase and accumulation of such last mentioned proceeds in equal proportions for and amongst the sons of the said Wilhelm August Koch and the issues of such of his sons as may be dead such issues to take the share of which their father might if had he been living but if all the sons of Wilhelm August Koch shall die without issue before any of such sons shall accept the offer of the said piece of land (part of section 2702) and the moiety of section 2722 in manner aforesaid *I will* that in such case the executors *I* Wilhelm August Koch shall yield up the said lands to the executors of my will to whom I herewith devise such said lands in such event upon trust to do and deal with the same in the manner as is hereinafter prescribed relative to such lands as I may hereafter acquire. Also, in reference to this eastern moiety of said section number 2722 I will that whilst the same and the adjoining western moiety of the same section and also the southern moiety of section no. 2721 of the same Hundred shall severally be owned by sons and descendants of mine, they shall mutually accommodate each other by suffering the crops and produce to be carted off from the hindermost or intermediate parts of the said lands over and across the western moiety of section 2722 and the southern moiety of section 2721 avoiding any wilful damage by such carting to the land crops produce or fences such a way shall not be more than fifteen (15) feet wide and those concerned therein shall be bound to protect it from damage by rainfall and to keep it always in good repair otherwise it shall be closed. But the mutual accomodation (sic) hereby imposed on my sons and descendants shall not be deemed to create any right of road in perpetuity for any of the said pieces of land over the other but each of my sons and descendants as possessor of either part

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of the said lands shall be at liberty without any consent of the other, to dispose of any such part as shall belong to him, to any stranger upon such terms or conditions in that respect as he at his own sole discretion may chose to impose, or even altogether freed and discharged from any such accommodation as aforesaid. I give and devise to my son Johann Friedrich Wilhelm Koch otherwise called Friedrich Wilhelm Koch or Friedrich Koch absolutely, but should he die before me and have issue, then to his executors or administrators upon the trusts hereinafter specified: All that piece of land containing eight acres one rood and thirteen perches (more or less) being part of section no. 2072 (sic) in the Wiltshire Special Survey as fenced and also in the plan hereto marked 'Friedrich Koch junr.' and also all that the southern moiety of section no. 2721 in the Hundred of Barossa (except that piece thereof hereinafter specially devised for a Family Burial Place) to have and to hold the said eight acre piece and moiety of section with the appertenances (if he the said Johann Friedrich Wilhelm Koch should survive me) to him his heirs and assigns for ever, but in the event of his dying and leaving any issue of his before my death, then to his executors or administrators, or the survivor of them and the heirs and assigns of such survivor as trustees for the purpose and upon the trust to manage let or devise the said lands, invest and apply the income thereof and finally dispose of the same and of the fee simple of the said lands for and to the sons of the said Johann Friedrich Wilhelm Koch respectively his issue generally in such manner as is hereinbefore expressed and declared of and concerning the beneficial interest of the sons respectively the issue generally of my deceased son Wilhelm August Koch in the event that Traugott Wilhelm Koch shall die under age and as is further declared page 25, 26 of this will I give and devise to my said son Johann Friedrich Wilhelm Koch, (or should he die before me), to his executors or administrators, but should he die before me, then also to his executors or administrators in trust for all my children and their issues, as and for a Family Burial Ground all that piece of land containing one acre and in the plan aforesaid marked 'Cemetery' being part of the southern moiety of section no. 2721 in the Hundred of Barossa and abutting on the road there leading from Lyndoch Valley to Tanunda And I will and trust it to the filial piety of my sons and descendants to keep the said Family Burial Place well and substantially fenced and together with the said trustees of the cemetery to make such regulations for the use and occupation of the same as shall

secure its proper preservation at all future times for which purpose I also will and declare that any party not performing this duty shall not be allowed any use or benefit of or in the said burial place (either for himself or his family) until such satisfaction shall have been made for such default as such said regulations shall require. I give and devise to my son Johann Gottlieb Koch absolutely, but should he die before me leaving issue then to his executors or administrators upon the trusts next hereinafter specified all that piece of land containing seven acres or thereabouts being the south eastern corner piece of the said section 2702 in the Wiltshire Special Survey also all that piece of land being part of the same section and containing four acres and two roods or thereabouts abutting south on a Government Road there also all that the northern moiety of section no. 2721 in the Hundred of Barossa abutting west on the Government Road from Lyndoch Valley to Tanunda leading: also all that the eastern moiety of Sections no. 2718 in the Hundred of Barossa, as the said several pieces of land and moieties of sections are respectively fenced and also in the plan hereto delineated and marked Joh. Gottlieb Koch' subject as to all the said pieces of land and moieties of section herein devised to Johann Gottlieb Koch or his executors to the annuity or rent charge of ten pounds sterling granted to my wife Anna Dorothea Koch born Baum, by me for life and hereinbefore charged on the said lands subject also (as to southern half part of the eastern moiety of section no. 2718 aforesaid) to the right of pasture for two cows hereinbefore granted to my said wife for life to have and to hold the said pieces of land and moieties of sections with the appertenances (subject as aforesaid) to the said Johann Gottlieb Koch his heirs and assigns for ever, but in the event of his dying before me and having issue, to his executors or administrators (or the survivor of them and the heirs and assigns of such survivors) as trustees for the purpose and upon the trusts to manage, let or devise the said lands invest and apply the income thereof and finally dispose of the same and of the fee simple of the said lands for and to the sons of the said Johann Gottlieb Koch respectively his issue generally in such manner as is hereinbefore expressed and declared of and concerning the beneficial interests of the sons respectively the issue generally of my deceased son Wilhelm August Koch in the event that Traugott Wilhelm Koch shall die under age and as it is further declared page 25, 26 of this will I give and devise to my son Johann Christian Koch absolutely but should he die before me and leave issue then to his

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executors or administrators upon the trusts next hereinafter specified all that piece of land containing about nineteen acres (in two subdivisions intersected by the river) be the same a little more or less, being part of section no. 2702 in the Wiltshire Special Survey and abutting east on the Government Road there leading from Lyndoch Valley to Tanunda and west on the section numbered 1620 in the Hundred of Nuriootpa as fenced and also in the plan hereto delineated and marked 'Johann Christian Koch'. Also all that piece of land containing two acres one rood and thirty four perches be the same a little more or less being part of the same section no. 2702 in the Wiltshire Special Survey and abutting south and east on Government Roads as fenced and also in the plan hereto delineated and marked 'Joh.Chr.Koch' also all that the western moiety of section no. 2722 in the Hundred of Barossa abutting west on section 2721 also all that the western moiety of section no. 2718 in the Hund-red of Barossa as the said several moieties of sections are fenced off and in the plan hereto delineated 'Joh. Christian Koch' subject nevertheless (as to all the said pieces of land and moieties of sections hereby devised to Johann Christian Koch or his executors) to the annuity or rent charge granted to my wife Anna Dorothea Koch born Baum and charged hereinbefore on all the said lands; subject also as to the southern half part of the said western moiety of section no. 2718 to the right of pasture hereinbefore granted to my wife for her life to have and to hold the said pieces of land and moieties of sections with the appertanances (subject as aforesaid) to the said Johann Christian Koch his heirs and assigns for ever, but in the event of his dying before me and having issue, to his executors or administrators or the survivor of them and the heirs and assigns of such as trustees for the purpose and upon the trust to manage let or devise the said land invest and apply the income thereof and finally dispose of the same and the fee simple of the said lands for and to the sons of the said Johann Christian Koch respectively his issue generally in such manner as is hereinbefore expressed and declared of and concerning the beneficial interest of the sons respectively the issue generally of my said deceased son Wilhelm August Koch in the event that Traugott Wilhelm Koch shall die under age and is further declared on the 25th and 26th pages of this will. In the event that before my decease any one or more of my said sons now living or (before accepting the offer of land devised to them as aforesaid) all the sons of my deceased son Wilhelm August Koch

should die not leaving issue I will that the trustees (if any) of any such lapsed or failing particular devise hereinbefore made on behalf of such sons or son so dying without issue shall yield up the said lands to the executors of my will respectively that my said executors shall enter upon and possess such land And in every such case I do hereby give and devise all such land to the executors of my will hereinafter named and their successors upon trust to hold, manage and dispose of the same and of the annual rents and profits and other income resulting therefrom in all respects in the same manner as is next hereinafter provided in reference to my other lands which I have not hereinbefore specially described or devised that is to say: \_\_\_\_\_ all such lands of which I am proprietor already but which I have not hereinbefore specially described or devised and all such lands as I may or shall hereinafter acquire I give and devise to the executors hereinafter nominated of my will (and the survivor of them and to the heirs executors administrators or successors of such survivor upon trust that they shall and may according to the best of their own unfettered judgement and absolute discretion hold and manage or let or devise respectively make sale or exchange or partition of such lands or any or every part or parts thereof respectively divide the produce income and proceeds of the same for to and among my sons and the sons of the deceased Wilhelm August Koch (respectively any other my grand-sons by any other son of mine whom may survive) or for to and amongst the issue generally of such grand-sons, in lieu of deceased grand-sons, in stirps so that such grand-sons and each of them respectively their general issues in lieu of them shall receive the share that should have been their respective fathers if he had survived: \_\_\_\_\_ lastly I give devise and bequeath to the executors of this my will hereinafter named (or to the survivor of them and the heirs and executors or administrators of such survivor, all the residue (not hereinbefore otherwise disposed of) of any and every the personal property which I now leave and hereafter may leave wherever situated and found and of whatever nature to collect, have, hold, invest, apply, and distribute the same for and equally between all my five children respectively in the stead of my son that has died and such as may hereafter die before me, their issues, such issues to take the share of their respective parent. And I will that the share of any minor in such residue who shall die under age shall accrue to the other or others with whom such minor should have shared



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if he had lived to full age. In general I do hereby declare and determine that the Executors of this will, the survivor of them, and the heirs, Executors or administrators of such survivor and also the trustees for the time being of each of the particular devises hereinbefore contained shall be entitled at the discretion of them (such said executors of my will or such trustees of any particular devise respectively as the case may be) without the consent of any other person to exercise all those powers and incidents usually exercised by trustees having full power of sale and exchange under wills according to the tenor of the act passed by the South Australian Parliament respecting such powers. Provided that such powers shall take effect and be exercised by them subject to such variations and situations as are hereinafter mentioned that is to say I will and limit that whenever it shall become necessary or be deemed (by the trustees of any particular devise under this will) to be desirable to dispose of and convey the fee simple of any land comprised in such devise it shall be lawful for such trustees (and they are hereby expressly required) in every such case to cause a valuation to be made of the land then to be disposed of according to the money-value thereof then current in the market, by the estimation of one or more valuers to be appointed by the said trustees of the special devise and being a person or persons not interested in the matter. And I will that every such valuation shall be authenticated by the signatures of the valuator and of the executors of my will after they shall have examined and approved such valuation. And that thereupon the land so valued shall be offered by the said trustees at the price or of such valuation (and under such conditions and upon such terms in all respects as the said trustees shall determine) by giving a written notice thereof first to the person who under such devise shall be first entitled to the same; that is to say the lands hereinbefore devised to the executors of Wilhelm August Koch being the piece of land first above devised containing about eight acres one rood and thirteen perches of section no. 2702 in the Wiltshire Special Survey and the eastern moiety of section no. 2722 in the Hundred of Barossa shall be offered first to the second son Johann Traugott Wilhelm Koch if he shall come to full age, but all other lands hereinbefore specially devised (having the lands respectively devised to Johann Wilhelm Koch, Johann Gottlieb Koch Johann Christian Koch absolutely respectively their executors or administrators in trust) the right of pre-emption shall be determined exclusively by seniority of those interested therein, that is to say, all such lands and

every part thereof shall be offered first to the eldest-born of the sons of my son beneficially entitled to the same under the particular devise if he shall attain full age (and if before or at the expiration of the time mentioned or implied in the said notice he shall decline to accept such offer then the offer shall be made to the son being my grandson who shall be next entitled under the special devise according to the order of seniority of age (if and when he shall attain the age of twenty one years) and so on successively according to the ages of the sons being my grandsons so entitled (if and when they shall respectively attain such age) and the said trustees shall dispose of and convey such land to the party who (being so entitled and of full age) shall first accept such offer in consideration of the payment of the said valuation-price in one sum or by instalments and upon such time and times and upon such terms and conditions as shall have been specified in such offer. Provided that every such conveyance shall be of the fee simple, subject to such encumbrances for marriage portions and otherwise as the said trustees may determine. Provided also that the trustees shall have full power (anything hereinbefore to the contrary notwithstanding) at their own exclusive discretion to sell for cash or upon such deferred payments as shall be secured by registration of encumbrance or mortgages on the land so conveyed. And that where all the beneficiaries entitled to an offer of the land shall decline to accept the same on the terms and conditions set by the trustees, the trustees shall be at liberty in every such case at their own discretion either to divide such lands amongst such beneficiaries, or to sell or exchange such lands to and with any other person as they may deem best and for such a price as may be got for the same. Provided always that the proceeds arising from each such disposal or conveyance shall be held and divided by the trustees equally for all such beneficiaries as under the particular devise were entitled to an offer of the land deducting from such proceeds the amounts of any unsatisfied portion or other encumbrance as aforesaid.

*In conclusion* I admonish my sons and will that at all times they shall be serviceable and render efficient assistance to their mother my said wife and that in case of illness, accident, necessity or danger they shall not on any account leave her without help or comfort to the best of their several abilities. And (besides the power hereinbefore granted to her and her assigns to distrain for her necessities and fuel in every and any case of default being made for twenty one days from due time in paying such

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annuity or supplying such fuel as aforesaid) I will and require that the executors of my will in any case of complaint being made to them by my wife as also in every case of non-compliance on the part of any devise or beneficiary with the terms of my will, my said executors may make a demand in writing on the party so in default for payment or for performance of the requirements of my will under pain of being suspended from or even totally deprived of the advantages such party should otherwise be entitled to under this will. And I hereby grant to the said executors full power and authority to enforce such suspension or deprivation if (if necessary) by legal procedures against any such party in default.

I exhort my children all to walk in the fear of God and not to forget that we are pilgrims and sojourners only here on Earth, not knowing when our last hour shall have been struck. I desire them to live together in peace and concord to keep the word of God before their eyes and in their hearts and to stand firm under all circumstances in their attachment to the pure doctrine of the same. I hereby nominate and appoint Wilhelm Pfeiffer farmer of Siegersdorf and Henry Gerhard Ahrens of near Tanunda to be executors of this my will and whereas I have caused this will to be written in duplicate namely one original copy in German which I myself have carefully perused and attentively read and found to be consonant in all respects to my instructions and exactly to my mind and the other original copy in English which I have also had read over to me by persons cognisant of both the said languages who have fully explained to me that the said English original is of the same meaning and effect in all respects as the German original, I have therefore adopted both the said copies as being one and the same will and hereby acknowledge the same as and for my last will and testament by signing the same together with the witnesses on all pages from one to twenty eight. And I have also signed the plan hereto annexed (the alterations of such plan relating to section no. 796 (which I have sold before the date of these presents) and the contents of said section no. 796 and the cancelling of a former attestation of such plan having been first made in the presence of witnesses) and I hereby revoke and annul all other wills I have formerly made. And declare this to be my last will and testament this twenty second day of March in the year of our Lord one thousand eight hundred and sixty five.

Signed and acknowledged by the said testator as and for his last will and testament in the presence of us present at the same time who in his presence at his request and in the presence of each other have hereunto subscribed our names as witnesses.

*Ludwig Bevilaqua*  
*T. Schumacher of Adelaide*

*Friedrich Koch.*

*Friedrich Koch Snr.*