

**Translation of Joseph Friedländer probate file
Staatsfilialarchiv Bautzen 50347, Stadt Bautzen 237**

From pp. 2-13.: 1 A list of people who should be informed; list of rooms in the house; inventory. Joseph Friedländer's attending physician was named Dr. Petzold; and Babet Fischer had been his cook.

From the judge's drafts and memos—anything that went out would have been written by a scribe—and there is not much more, other than the Beuthen matter alluded to below.

Budissin, 10 Jul 1841

After it became known at 8 a. m. that Mr. Joseph Friedländer, Jewish merchant resident here, had died during the [previous?] night, the undersigned [...] to go to his quarters, because according to [its provisions?], the will newly made some time ago by the deceased, in case his son-in-law Mr. Alexander Alexander were not present, was to be unsealed under judicial supervision. At the same time, also 8 AM, there appeared before the court Mr. Salomon Schlochow Munk, [who had traveled] here from Beuthen an der

[3]

Oder, likewise a son-in-law of the deceased [...] confirmed [...], the undersigned, accompanied by the inventorist Müller, to the [place] in the Herings Gasse here in town and entered into the living room with Mr. Munk; also Isaak Moses Fischer and the daughter of the latter, Babet Fischer, who works [there] as a cook, reporting that Mr. Fischer had been with the deceased as [factor?] since the beginning of May of last year, which he demonstrated via an affidavit dated today by

[4]

Dr. Petzold, who attended the deceased; but that Mrs. Munk had arrived only 8 days ago, and Mr. Alexander Alexander, son-in-law, was at the Frankfurt Fair and could not arrive for at least 14 days. Because of the holiday today, those present are supervising it [?]; undersigned [...] and give Mrs. Alexander [...] about the estate, and Mrs. Munk gave the following to be addressed [*i.e.*, notified?]:

Mr. Wolf Alexander, bookseller in Wollstein, father of the son-in-law of the deceased; she thought that the news would get to [AA] most securely through him, because the address in Frankfurt was not known [to her, presumably].

[Description of the rooms; then inventory]

[Notable item from p. 4: Mrs. Munk had been in town for 8 days. Whether this was because her father had taken ill or for some other reason, is not clear. If nothing else that could explain why the fact of Alexander Alexander's being in Frankfurt was so readily known. He probably went every year, and his sister-in-law probably knew that—and everybody knew when the Frankfurt Fair took place.]

Wollstein, 13 Jul 1841 / rec'd 16 Jul 1841

Regarding the notification dated 10 Jul of this year, concerning the decease of Joseph Friedländer of Budissin I do not fail to reply most sincerely that, although I am informing my son, who is currently in Frankfurt at the fair, of the death, I must make the following application in his name: To postpone the publication of the testament of J. Friedländer for a period of three weeks and until then to limit the proceedings to those measures that, according to the message from Your Honorable Town Court have been made to secure the estate.

This is because my son cannot leave the fair without substantial disadvantage, and since the matter primarily concerns his interest, the requested grace period ought to be granted him, and finally I request most obediently:

To make those changes which, under these circumstances, the law permits to his advantage.

[Addressed to] Most honorable town court in Budissin

Wolff Alexander

Remarks:

This response is to be shown to Messrs. Munk and Fischer in the Friedländer [matter], to determine

[...]

D. Lehmann

[22]

Rec'd 19 Jul 1841 along with power of attorney

To the Town Court in Budissin

As I have been granted power of attorney in the matter of the estate of the Jewish merchant Joseph Friedländer, who died here, by his daughter Henriette Munk née Friedländer of Beuthen an der Oder with the concurrence of her husband the ritual slaughterer Salomon Schlochow Munk, I

[24]

hereby present [the POA] and request most obediently to proceed as soon as possible with the publication of the present testament and to call me to this event.

Remaining in indebted respect,

Budissin, 19 Jul 1841

Attorney Lehmann

Remark [23] Mr. Munk should [certify?] before the court his approval of the power of attorney presented by his wife and Attorney Lehmann. 20 Jul 1841 D. Lehmann

Cover: to the most honorable Town Court of Bautzen

I, undersigned below in my own hand, with permission and approval of my husband hereby assign, in matters concerning the inheritance willed me by my deceased father Joseph Friedländer, merchant in Budissin [Bautzen], and regarding anything that may be assigned to our children, bestow upon Mr. Advocat Friedrich August Lehmann in Budissin power of attorney to appear in my stead before the town court in Budissin, and also before other and higher courts of justice; to accept or decline the terms of the legally conceived testament of my deceased father; to declare my claim to the inheritance; deliver any further legally required declarations [26] for me; file and pursue suits; respond to suits filed; [many other legal and fiduciary duties]; to my greatest advantage. I shall hold my attorney harmless in all things [27] he does for me. Thus I have given him power of attorney, signed with my name, and will attest to this in court. Beuthen an der Oder, 16 Jul 1841 Henriette Munk Salomon Schlochow Munk Stamp for 15 Groschen is attached. The undersigned city court hereby acknowledges that the [...] Munk née Henriette Friedländer today appeared before same as a known person competent to act, but without her husband, who, according to her, is already in Bautzen, and not only acknowledged the entire special power of attorney hereby granted to the advocate Mr. Friedrich August Lehmann in Bautzen but recognized also the [28] signature thereunder as her own. Officially over the seal and signature of the Royal Town Court, Beuthen, 17 Jul 1841.

Royal Prussian Town Court

Brendel

Bautzen, 20 Jul 1841.

[34] In the presence of: Mr. Act[uary] Dr. Lehmann, bonded judge, Mr. Schulze, officer of the court in Bautzen

Budissin [=Bautzen], 18 January 1841 After the town court had been informed that the merchant Mr. Friedländer wished to set down his last will orally, and a committee of the town court was formed for this purpose, said committee, on orders from the Director Mr. Actuary Dr. Lehmann, bonded judge and the aforementioned town court officer, went to Heringsgasse 97 in this town, and to the apartment one flight up in said building, and [35] found present there Mr. Joseph Friedländer, merchant resident here, though somewhat weak, as observed during the process, in full and unconditional command of his powers of reason. Said person hereupon confirmed that he wished to give his testament orally and then spoke his last will as follows: As his only heirs of all his goods and possessions, consisting of furniture, real estate, [Pretirsen?], clothes, beds, cash, uncollected debts or other items that might be present at the time of his death in the future, insofar as they are in no way entailed, he hereby designates his two daughters, namely:

I: Jette married name Munk, wife [36] of the merchant Salomon Munk, resident in Glogau, and
II: Louise, married name Alexander, wife of the merchant and bookseller Alexander in Wol[|]stein in the Duchy of Posen, to inherit, have and keep his complete estate divided into equal parts, but under the following conditions:

I: As a bequest his second daughter Mrs. Louise Alexander should receive the Torah belonging to her along with its [decorations?] and all equipment belonging thereto;

II: The remainder of the estate after subtraction of this bequest, although [37] to be divided equally among his two daughters, without them being bound to include legal fees that might arise; nonetheless his eldest daughter Jette Munk is to be excluded from any disposition about the substance and capital value of the portion of the estate assigned to her, and only be entitled to the use of same as long as she lives, and to use for herself and her family.

III: After her death, the substance of the portion of the estate assigned to his elder daughter, Mrs. Jette Munk, is to be divided solely and in equal parts among her surviving children, and these his grandchildren [38] by said daughter, both now living and yet to be born, are hereby expressly made substitute heirs to their mother.

IV: As executor of his estate he hereby designates Mr. Alexander Alexander in Wollstein, with the express commission and power to conduct a precise inventory of the estate, to pay off any debts that may exist according to his judgment, to concern himself as far as possible with the portion of the estate assigned to the testator's [Joseph Friedländer's] eldest daughter, and if necessary to apply for and obtain redress through the courts.

V: Although Mr. Friedländer set down the legal inventory of his estate, [39] he expressly requested that, if upon his death, his son-in-law Alexander Alexander was not present, his estate be secured and sealed by the court, and that, after said son-in-law had been informed, the estate be handed over to the same upon his arrival.

VI: Mr. Friedländer extended his determination that his son-in-law Mr. Alexander concern himself with the regulation of his estate by expressly assigning him the general task

[40]

namely to keep accounts, call in obligations, take possession of moneys and things of monetary value and to secure the legal validity of the overall inheritance.

VII: The testator continued: although he could assume that his children could not ignore the

precautions he had specified in his testamentary specifications and would thoroughly submit to them, he needed to order expressly that if one or the other of his children could not abide by these terms and challenged or even disputed them, or if they did not accept this as his last will within 4 weeks of being informed of it,

[41]

And be obliged to make restitution of everything in the estate that could be legally assigned to the bulk.

Herewith Mr. Friedländer ended the specification of his last will and stated only that, should the present last will not be valid as a formal testament, it be viewed as a codicil, *fidei commissum*, gift on account of death from the parent to the heirs [Latin term for distribution of property among heirs in case of intestacy] or other lesser form of testament and thus applied.

Having been slowly and clearly read aloud, this record was approved throughout and that which had been stated before was executed.

[signed by Justice Lehmann, Schulze, and Joseph Friedländer, the last in both German and Hebrew]

Before Act. Dr. Lehmann, bonded judge

Budissin, 20 Jul 1841

After the power of attorney [file number...] granted by Mrs. Henriette Munk to Attorney Lehmann was also [approved?] by the husband of the client [Mrs. Munk], there was a request by Mr. Attorney Lehmann, as attorney for Mrs. Henriette Munk, appearing personally, and by her husband Mr. Salomon Schlochow Munk, for publication of the late Mr. Joseph Friedländer's testament dated 10 Jan 1841.

This request was [inserted], the testament of Mr. Friedländer removed from its binding, those present asked to examine the names visible at the bottom of same

[43]

and see that the signature of Mr. Friedländer had been put there by his own hand, and the testament itself was published *praelegendo* [prior to the bequest itself].

Mr. Munk requests a simple copy of the testament, reserves his declaration as to its [?] and stated that the testamentary [?] was among the signed estate effects and could therefore not be produced at this time.

Finally, Mr. Munk noted that he would remain here for several days more, to be present if possible at Mr. Alexander's arrival, but that he would in any case notify the court should he consider departing.

Prael. Entr. Quod not. Uts. [praelectum intretur quod notatur ut supra=the foregoing has been read and approved]

Lehmann, bonded judge

Lehmann

Salomon Schlochow Munk

[44]

Resolution regarding No. 1367 [prior pages?]

Mr. Alexander is under the circumstances to be informed by his father in Wollstein that the publication of the testament has occurred, and to take steps as soon as possible for the representation of his wife and for his acknowledgment of his [receipt?] of the inventory of the Friedländer estate.

20 Jul 1841

D. Lehmann

20 Jul 1841 / rec'd 21 Jul 1841

To the Town Court of Bautzen

Although I do not yet know whether my client Henriette Munk, née Friedländer of Bautzen, will acknowledge the newly copied testament of her father-in-law Joseph Friedländer, which was published today, I feel I must make some applications to secure the estate, all the more so as the

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power of attorney granted me also requires me to consider the interests of the Munk children.

Some time before his death, the deceased had intended to move away from here entirely and move to Wollstein and Mrs. Alexander; thus he rented a premise [? Lokal] there and—as Munk himself says—sent his son-in-law Mr. Alexander several boxes filled with valuables, 700 taler in cash, 20 pounds of silver, 12 gold rings, a gold watch chain, a tin wash basin, a [?] machine, 6 Waben of canvas, half a Schock $5/4$ wide, a remainder of 20 ells of the same, 4 coffee cloths in blue, red and gray, several—at least 4—napkins, 10 ells of white striped cloth, a large dining-table cloth, several table cloths, a counter, various engravings, several valuable Hebrew books large and small, 2 pieces of white [?], a red umbrella, a colored [coat? Cover?], three woolen carpets, five women's dresses, men's clothes,

[49]

undergarments, 12 silver cups, 1 punch ladle, 1 butter spoon, at least 12 pair knives and forks, 4 salt cellars and 4 sugar bowls, 1 candle-trimmer with stand, several salt spoons, tea strainers, sugar tongs, all of silver, several pounds of golden [?], several silver tools including a sugar-tongs, a gold ring containing a stone prayer shawl or “talis,” a pair of gold earrings, a gold cross, 8 or 9 tobacco-pipes with silver work, 3 sconces of brass, *etc.*, about which Nanni or Babet Fischer, who were in his service, could provide the best information; and thus I make the most obedient request:

To depose Ms. Fischer as soon as possible and request of the judicial offices in Wollstein that these items and moneys be confiscated.

Regarding the unsealing and distribution of the estate, in my

[50]

unauthoritative opinion it cannot wait any longer, because several creditors of the deceased are not confident in the current unsettled situation—in which one cannot be certain of the disposition of the estate—and instead wish to file suit because debtors have payments due but, without production of the promissory notes, refuse payment, which could easily put the creditors in a bad situation, because Friedländer, as one would expect in his business, holds various notes that must be produced on the due date but which, should payment not be forthcoming, are needed as security against the debtors, but which debts become worthless without these papers; and various stores of victuals, beds, undergarments and furs are exposed to spoilage.

Thus, in order to avoid substantial damage, there is nothing to be done other than to proceed in unsealing and consignment of the estate

[51]

Insofar as Friedländer's death has been reported to Alexander, who may already have returned but may also be delaying either in order to do more business at the fair or for other reasons of no interest to the Munk family.

I thus ask for a favorable consideration of my request and sign in indebted respect.

Bautzen, July 20, 1841

[Lawyer] Lehmann

Remark: In consideration of the minor Munks, Fischer's daughter is to be asked about the matters mentioned here.

Bautzen, July 23, 1841

As ordered there appeared at the place of the Town Court

Babette Fischer, the daughter of Moses Fischer, the [?] of Friedländer, from Leipa in Bohemia, 20 & some years old was sworn to give a true account [...] and said:

She had been in service to the deceased Mr. Friedländer since Easter 1840, and knows quite well that Mr. Alexander, his son-in-law from Wollstein, was often present.

As to the items mentioned in the information entered July 21, 1841:

Deponent confirms that about 8 to at most 9 weeks ago, Mr. Alexander of Wollstein put the Torah, including all its paraphernalia into a box, and other items into another box and had them sent away.

[53]

She believes that the Torah and the other things taken from Friedländer's [...] were his property; but assures that, other than the Torah, she had no knowledge of the other items, and likewise she does not know [via whom?] the 700 taler were sent off.

She holds to these her [testimonies?]

[states that?] several times transports from the Friedländer [place?] occurred

Approves this record which [she signed?]

D. Lehmann, attorney

[Hebrew signature]

Remarks:

to be communicated to the attorney for Mrs. Munk on 23 Jul 1841, D. Lehmann

Communicated to Dr. Lehman via the [...] 23 July 1841. D. Lehmann

In the matter of Joseph Friedländer's estate

I am honored to respond to Your Most Honorable Town Court's decree of the 20th of this month by stating that it is absolutely impossible to arrive there in the required time, but that I intend to be on my way on Wednesday the 27th and to arrive at the end of this month or the beginning of the coming month.

Therefore, I am requesting that the unsealing of the will be postponed until my arrival.

This request should appear justifiable because my father-in-law specified that this legacy be transmitted to me only upon my arrival, and because when I was in Bautzen recently I regulated his business affairs so

[55]

that there would be nothing to fear regarding moneys billed or ongoing business.

With indebted respect,

To the honorable town court,

Most obediently,

A Alexander

Remark of 29 Jul 1841: [communicated to attorney Munk and someone else; it seems as though Mr. Fischer was relieved of his duties.]

Bautzen, 30 Jul 1841 (rec'd 31 Jul 1841)

I herewith inform your most honorable Town Court that I have just now arrived for the resolution of the estate of my father-in-law, Joseph Friedländer.

With great respect,

Most sincerely

A Alexander

Remark: the testamentary heirs of Friedländer are again to be called for the publication of the testament and [...] 31 July 1841 D. Lehmann

I, the undersigned Louise Alexander, née Friedländer, hereby empower my husband Mr. Alexander Alexander, resident here, to represent me in all matters concerning the estate of my father Joseph Friedländer, to take note throughout of my rights, to [...] the estate with or without restrictions by the court, to effect the division of the estate with the other heirs, to complete the [...], to receive the estate in whatever form it may consist of, to collect the debts associated with it, to file suits if necessary, to pursue such suits through the courts, to do all these things in my name as he deems appropriate in this matter of my father's estate.

He is further empowered to act according to his choice in matters concerning the business of others in this case. Whatever my attorney or his substitute
[64]

does in these matters, I promise to approve as though I had done it myself.

Wollstein, 26 Jul 1841

Louise Alexander née Friedländer

I hereby attest:

that the wife of the bookseller Alexander Alexander, resident here, known well by me personally, appeared before this notary and instrumental witnesses and in their presence stated that the signature to the power of attorney written by her on the 26th of July of this year was her own;

[65]

And that [...] will be added to the notary files of the public trust.

Done at Wollstein, 27 Jul 1841.

Julius Ernst Gottfried Hermann, notary public in the department of the Royal Superior State Court in Posen.

Nicodemus Zlotnick, private secretary, as instrumental witness without seal

Robert Theodore Friedrich Maeder, private secretary, as instrumental witness without seal.

A draft note (pp. 66-67) to the court in Beuthen a/O (regarding the children of Henriette Munk, who are the ultimate heirs of her share) so we may assume that at least a few bits of the process were transacted elsewhere.

Page	Item Description	Value 1	Value 2	Value 3
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	Presumed values	Silver	Silver	Copper
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		Taler	Neu-Großchen	Pfennig
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	Multiples	8 Großchen	10 Pfennige	
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[Coins and multiples taken from Arnold, Paul, *et al.*, *Großer deutscher Münzkatalog*, Munich: Battenberg Verlag, 28th ed., 2013, 679 pp.

7 Doppeltaler=14 Vereinstaler; 1 Vereinstaler=30 Neugroßchen=300 Pfennige; 1

Neugroßchen=10 Pfennige.]

There is no item 1

[Page	Item Description	Value 1	Value 2	Value 3]
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76	2	A half-tun (barrel)		2
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76	3	4 various small barrels		7
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76	4	A small "Gelte"?		1
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76	5	A foot-bath		3
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76	6	2 hatchets		6
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77	7	Chopping block		4	
77	8	Ladder		2	
77	9	"Brak"?		2	
77	10	Carrying basket		4	
77	11	Stand		8	
77	12	Pair of water-jugs		3	
77	13	Small table	1	0	5
77	14	Footstool		2	
77	15	Stool		4	
77	16	Sofa w/back, pillows & upholstery	7	15	
77	17	Ironing board		8	
77	18	Ironing set incl. iron and stand	1		
77	19	Red ...?		16	
77	20	Bed cover with slipcover	4	20	
77	21	2 large pillows w/covers	2		
77	22	Bedcloth		16	
77	23	2 bed frames with red canvas covers	9		
77	24	Straw-sack		8	
77	25	Large mirror	2		
77	26	Yellow table		16	
77	27	Scissors and knife		3	
77	28	Porcelain sugar-bowl		2	
77	29	Old metal "Dielezeug"?		1	
77	30	Old watering can		2	
77	31	2 flower-boards (window-boxes?)		3	
78	32	7 flowerpots		1	
78	33	White bed...?		6	
78	34	Bed cover with red striped cover	4		
78	35	Bed-cloth		16	
78	36	2 bed frames with blue striped canvas covers	7	15	
78	37	Straw-sack		8	
78	38	... table		6	
78	39	Sofa w/steel springs & pillows	4		
78	40	2 chairs in red plush		10	
78	41	2 chairs in yellow plush		8	
78	42	2 red chairs w/covers		20	
78	43	Boot-jack		1	
78	44	Small table		2	
78	45	Water pitcher		1	
78	46	Towel		5	
78	47	Black walking stick		4	
78	48	Red bedstead		15	
78	49	...genlehne		16	
78	50	3 ...? Pillows	3	15	
78	51	2 bed frames painted red	6	15	
78	52	Straw-sack		6	

78	53	Bedcloth used to wrap the corpse		
79	54	Woolen? Blanket		12
79	55	Large curtains for 2 windows	1	6
79	56	4 small curtains		4
79	57	2 ...?		12
79	58	Small table		10
79	59	Small table		2
79	60	Red footstool		1
79	61	Rocking-chair	1	
79	62	8 assorted chairs	3	
79	63	Red table		12
79	64	Whetstone given by the deceased to Mr. (?) Munke		
79	65	Small seal		2
79	66	Wardrobe	6	
79	67	Small mirror	1	12
79	68	Red napkin (?)		5
79	69	Small yellow table		15
79	70	Lighter (literally: ignition-machine)		20
79	71	Metal lantern		3
79	72	3 brass candlesticks		12
79	73	2 older [brass candlesticks]		16
79	74	3 yellow metal candlesticks		6
79	75	Yellow night-light		4
79	76	4 copper candlesticks	1	
79	77	Brass wax-...-machine		5
79	78	4 assorted candle-holders		2
79	79	2 brass candle-snuffers (?)		5
79	80	Wick-trimmer		1
79	81	Metal coffee-pot		1
79	82	Metal cylindrical lantern		2
80	83	Steel candle-cleaner (?)		1
80	84	Several used pots		1
80	85	Brass mortar		20
80	86	Coffee-mill		4
80	87	Coffee jar		1
80	88	Seven assorted white plates		3
80	89	Small plate		
80	90	?		5
80	91	Blue porcelain plate, but broken		
80	92	Stoneware plate		1
80	93	Coffee jar		10
80	94	Beer-glass w/cover, said to be broken		
80	95	Little glass oil-pitcher		2
80	96	Red lacquer coffee tray		3
80	97	Dto. (coffee tray) of white metal		5
80	98	Ceramic coffee-and-milk jug		2

80	99	6 assorted cups & saucers		20	
80	100	3 small glass salt-cellars		3	
80	101	14 stoneware dinner plates		14	
80	102	14 stoneware soup plates		15	
80	103	Stoneware ...? (same as 83b)		3	
80	104	Stoneware bowl		2	
80	105	6 assorted wine glasses		10	
80	106	7 Schnapps glasses		5	
80	107	White jar			3
80	108	Blue curtain		4	
80	109	Small footstool		1	
80	110	2 yardsticks		1	5
80	111	...pot in the stove	1	20	
80	112	Metal spoon			3
81	113	Red bread-making table	1		
81	114	21.5 Loth [quantities] of string	12	16	
81	115	14 silver spoons, weight 50 Loth	29	5	
81	116	4 silver coffee-spoons, weight 4.5 Loth	2	18	
81	117	5 knife-and-fork pairs with stag-horn [handles]		10	
81	118	4 individual forks ...		4	
81	119	Paper-scissors		2	
81	120	4 assorted knives		5	
81	121	2 metal spoons			3
81	122	2 wine glasses		2	
81	123	Large expanding table	1	8	
81	124	3 large, 1 small tablecloths	1	10	
81	125	4 good towels		15	
81	126	4 kitchen towels		8	
81	127	Chandelier	1	10	
81	128	Pantry	1	20	
81	129	Yellow-brass candlestick			3
81	130	Small upholstered chair			4
81	131	Box containing used matches		2	
		Totals	111	774	39

[There are various opinions as to the number of Neu-Groschen in one taler. One taler was worth U. S. \$1.19. See Muret, Eduard, *et al.*, *Muret-Sanders Enzyklopädisches Englisch-Deutsches und Deutsch-englisches Wörterbuch, mit Angabe der Aussprache nach dem Phonetischen System der Methode Toussaint-Langenscheidt. Hand- und Schulausgabe (Auszug aus der großen Ausgabe)*, New York: The Murray Printing Company, 1900, 2 vols. If we include the 700 taler that Joseph Friedländer sent to Wollstein shortly before his death, that would mean that the estate of 908 taler would be worth about \$219,000.00 in terms of 2014 United States dollars. See http://www.measuringworth.com/uscompare/result.php?year_source=1841&amount=908&year_result=2014 for various calculation alternatives of the estate value.

In 1838 Saxony, Prussia and several other states were on the same currency, the Vereinstaler. On p. 88 of the docket money is added up. This suggests that 1 Taler = 30 Groschen and 1

Groschen =10 Pfennige. (Which is odd, because the Prussian taler of the time was 30 x 12.) Same with the bill on 112ff. (Add up the bottom row of a page; the 3 columns to the right equal the 1 on the left.)

One estimate of buying power:

1 taler of 1838-1855 ~ DM14.70 in 1967. At that time the exchange rate between \$ and DM was 4 or so. That makes the taler worth \$3.70 or so in 1967 dollars. Applying the inflation rate we get \$26 in 2014 or an estate value of about \$39,000.]

The overall complexity of a probate matter is proportionate to $(1 + p) * 2^c * (2^h - 1)$ times the value of the estate, where

h is the number of heirs;

c is the number of outside creditors;

and

p is the proportion of the estate claimed by those outside creditors, possibly adjusted for the validity of the claims.

(*for multiplication; ^ for exponentiation)

If we assume the value of the estate (v) to be about 1500 taler, the single outside claim to be for 600 taler=40%, and the number of heirs to be 2, we have a complexity of about 4.2, where the simplest case for that size of estate: one heir, no outside debtors. Of course, this function entirely ignores the whereabouts of the contents of the estate relative to the probate court itself and to any of the heirs. In this case, the bulk of the estate was actually in the hands of one heir who lived in another country, albeit one that had a comprehensive currency-and-tariff agreement with Saxony.]

Budissin, 20 Aug 1841 / rec'd (or answered?) 24 Aug 1841

Most sincere petition of the undersigned Alexander Alexander, executor of Joseph Friedländer's estate, for the issuance of an attestation of the legitimacy of the inheritance.

To complete the case of the deceased Joseph Friedländer, as also at the beginning of the case of the Friedländer estate, the law requires an attestation of inheritance legitimacy from me. I hereby most sincerely request the same from your Royal Most Honorable Town Court.

For the aforementioned purpose please issue such an attestation as soon as possible

To the Royal Most Honorable Town Court

Sincerely,

Alexander

Remark: The requested attestation is to be issued according to the files. 26 Aug 1841 D. Lehmann

Rec'd 5 Aug 1841 along with power of attorney

To the Town Court of Bautzen

The lawyer Mr. Petrich from here, acting as executor of the testament left by Mr. and Mrs. Wilisch of this town, has appealed against the [response to?] and publication of his [Joseph Friedländer's] estate because of two alleged debts totaling 500 taler including [Access] owed him by my father-in-law, Johann [!] Friedländer.

[83]

However, as I, the designated executor and mandatary can affirm, this claim is not at all justified, and it is also generally known that Friedländer had the means and was thus in no need of a future object to be executed [as part of his will], but above all as the heirs would suffer

detriment from this inhibition [of the process] I request most obediently [that the Court] reject this appeal, but that, if it is not withdrawn within a short time, it proceed with deposition.

I remain in indebted respect,

Bautzen, August 4, 1841

Alexander Alexander

p.m.l. [per me licet =Approved by me]

Attorney Lehmann

Unter abschriftlicher Zuständigkeit dieses Vortrags ist dem Herrn Advocat Petrich zu eröffnen, dass die der von ihm gegen die Friedländerschen Erben für den Wilischschen Erb-Nachlass formirt Anspruch reden, genügend bescheinigt, nach auch die Justificirung der Friedländerschen Nachlassenschaft nachgewiesen werden [?] die von ihm unterm 13 July 1841 gegen Ausantwortung und jede sonstige nachtheilig Gebehung mit demselben, sowie gegen jede Veräußerung unter...irt Appellation binnen 8 Tagen und Bericht erstattet werden da... er denselben innerhalb dieser Frist wissen sagen sollte. Es sind Herr Adv. Petrich hierbei die überreichten [...] Wechsel zu retradiere und über die Legitimation der Friedländerschen Erben Mittheilungen zu machen.

Am 7. August 1841 D. Lehmann

Remark: Along with a copy of this, tell Attorney Petrich that he should present sufficient evidence for his claim within 8 days and inform the Friedländer heirs of this.

Power of Attorney

I, the undersigned, as legitimate executor of the Jewish merchant Joseph Friedländer's testament created here, in view of those claims made or to be made of the Friedländer estate by Mr. Advocate Petrich of this town in his role as executor of the testament of the Wilisch couple created here, hereby assign to the Advocate Friedrich August Lehmann of Budissin,

[85]

such power of attorney as needed to represent me before the town court as before any other office, to produce writings and presentations, to sign my name, to meet all manner of deadlines, make compromises, to respond to and appeal decisions and judicial advisories, swear, accept or retract statements under oath, to seek appropriate actions to assist, to attend to their execution, to accept them as completed, and generally to do everything that the situation and my best interest require, even if the most specific instructions were needed.

I especially empower the same to reach settlements regarding the same matter, to renounce *liti et causae* [lawsuit and cause of action], to issue or accept statements under oath, to approve documents as properly issued and recognized, approve copies of originals, to allow substitution, to collect money and valuables and

[86]

issue receipts for them.

I approve everything he will do and has done for me, but hold him harmless and indemnified and have thus legally executed the following empowerment form.

A copy of the form for use as power of attorney against the Executor of the testament of the Wilisch couple.

Alexander Alexander

[87]

Invoice for legal work

Rec'd 9 Aug 1841

With the following, we hurry to respond most obediently to the honorable letter of the 3rd of this month, relating to the matter of the merchant Joseph Friedländer and his testament.

First: the slaughterer Munck, as father and natural guardian of his minor children as substituted in the Friedländer testament, seems legally entirely qualified to promote the interests of the latter in the matter of said estate. As guardian office of the Munk minors, we contest this to the extent that the substitution of the latter could lead to a collision of interests between them and their parents, and thus the children should be assigned a special Curator who would recognize their interests; but the formulation of direct requests is not within our mandate—only the supervision of guardians—albeit it is up to us to approve or deny their [guardians'] applications according to whether they are in the interest of their wards.

[91a]

The first matter should be to establish the active and passive measures to distribute the enduring inheritance according to the principles laid out in the Friedländer testament. If the slaughterer Munk has applied for a court-supervised inventory [?] of the Friedländer estate, we could approve that only if the completeness of the inventory already taken were to be challenged, and we would approve in advance a request by Munk to have the participating persons swear an oath of disclosure. Likewise, we cannot do anything toward the interests of the Munck minors against the fact that Munk has taken possession of the inheritance assigned to his wife and children *cum beneficio legis et inventarii* [with the advantage of the law and the inventory].

[91b]

We request a copy of the inventory as well as of the distribution plan when things have reached that stage, so that we may, if appropriate, give our approval in the interests of the Munck minors.

Beuthen a/O, 5 Aug 1841

Royal Prussian Town Court

Brendel

To

An Honorable Town Court at Budissin

Remark [91]: This response is to be given in original to the attorneys of the Friedländer daughters, and as copy to Mr. Munk. 9 Aug 1841. D. Lehmann Original sent to Attorney Lehmann & Mrs. Alexander, copy to Mr. Munk via Bailiff Rothlaut. 9 Aug 1841 D. Lehmann Rec'd 10 Aug 1841

To the Town Court of Budissin

In order to examine the request by the Wilisch heirs to examine the available documents regarding their claims on the Friedländer estate, the Joseph Friedländer heirs request their presentation and to this end the unsealing of the estate.

I request most obediently,

Therefore to

[93]

Do what is necessary

And remain in indebted respect,

Budissin, 10 Aug 1841

Attorney Lehmann

Remark [92]: Request approved. 11 Aug 1841 D. Lehmann

Rec'd 13 Aug 1841

To the Town Court in Budissin

The untenability of the claims made for the estate of the Wilisch couple against the Friedländer estate is all the clearer insofar as the deceased, according to the attachments

a) of 15 Dec 1837, for 57 taler and 1 groschen,

c) of 19 Dec 1837 for 60 taler

[99]

And

d) of 30 Dec 1838 for 360 taler

paid these debts to Merchant Wilisch and his wife and thus could not have had any remaining indebtedness.

I request most obediently:

for acceleration of the order eliminating the appeal

And remain, in indebted respect.

Bautzen, 13 Aug 1841

Alexander Alexander

p.a.l. [per auctoritatem litteris =by letter of authority]

Adv. Lehmann

[98] Remark: to be communicated to Mr. Advocate Petrich with the 3 original enclosures, because, regarding his pleading for the Wellisch heirs vs. the admission of the Friedländer estate

[...] 14 Aug

1841 Dr. Lehmann

2nd remark: [?] 14 Aug 1841 Dr. Lehmann

[100]

Invoice.

Remark: [?] 24 Aug 1841 Adv. Lehmann

To the Town Court in Budissin

As the Friedländer heirs wish to eliminate the appeal entered by myself and to this end have provided me with a guarantor in the person of the here-resident cloth manufacturer Mr. Carl Gottlieb Grohmann, and I, Grohmann also, hereby provide self-funded guarantee

[103]

regarding the amount either to be determined by settlement between the Wilisch executor and the Friedländer heirs or as debt of the Friedländer heirs to the Wilisch estate to be determined by judicial decision, and forego all legal benefit [...],

I, the executor of the Wilisch testament, wish to withdraw the appeal entered by me and thus enable the Friedländer estate to be unsealed and distributed to the heirs.

As the object for which the guarantee has been provided is as yet uncertain, the fee for same has not yet become collectable; moreover, the amount thereof is to be determined by judicial decision and the

[104]

costs to be borne by me.

I remain, with greatest respect,

Budissin, 14 Aug 1841

Advocate Paul Petrich

Christian Gottlieb Grohmann

Remark [102]: In consideration of the consignment of this contract by the guarantor presented here by the applicant, and because both the testamentary heirs and the *fidei ommissus* [executors]

successors are represented, the Friedländer estate is to be given over to Mr. Alexander, Mrs. Munk and Attorney Lehmann [...] inventory for consignment.

14 Aug 1814 D. Lehmann

[105]

Cover

Budissin, 20 Aug 1841 / rec'd (or answered?) 24 Aug 1841

Most sincere petition of the undersigned Alexander Alexander, executor of Joseph Friedländer's estate, for the issuance of an attestation of the legitimacy of the inheritance.

To complete the case of the deceased Joseph Friedländer, as also at the beginning of the case of the Friedländer estate, the law requires an attestation of inheritance legitimacy from me. I hereby most sincerely request the same from your Royal Most Honorable Town Court.

For the aforementioned purpose please issue such an attestation as soon as possible

To the Royal Most Honorable Town Court

Sincerely,

Alexander

Remark: The requested attestation is to be issued according to the files. 26 Aug 1841 D. Lehmann

[Cover]

[122]

Rec'd 27 Aug 1841

To the Town Court of Budissin

After having reached an agreement between me and the Friedländer heirs on dealing with the demands of the Wilisch heirs, the first-mentioned heirs have provided me with a promissory for the amount, should they be held indebted for it;

[123]

Thus I release Mr. Grohmann from his guarantorship and request of the Town Court that:

A notification in this regard be issued to the same.

Remaining with greatest respect ,

Budissin, 27 Aug 1841

Attorney Curt Emil Petrich

Remark [122]: to file and to be communicated to Attorney Lehmann empowered by the Friedländer heirs, and to Mr. Grohmann. 31 Aug 1841 D. Lehmann

[invoice of 1 Sep 1841]