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Last Will and Testament

The fact that I am at the present time in my third marriage, and have children only from my first two marriages, and that I want to avoid any disunity among my heirs upon my death motivates me to make my last wishes known to my relatives as follows.

1. With my present wife Carola (née Eichenberg), I drew up, after my marriage took place on 10th May 1893, a reciprocal will through the royal notary Mr. Justice Omeis, which is deposited at the local royal district court (I should say at Office No. III of the Royal Notary). The 20,000 Mark marriage assets brought by her into the marriage I have, upon receipt, added to my original assets and have used the interest so gained for financing our overall household expenses. My wife has fulfilled her motherly duties with great care and love, for which I express my heartfelt thanks to her once more. I am, therefore, making it an obligation for my children through conscientious fulfillment of the prescribed points in my will of 10th May 1893 to show their thankfulness and to make her earthly life easier and improve it by keeping away every pecuniary worry especially.
2. My sons, Siegbert, Paul and Fritz have received both their entire mother's estate as well as the promised dowry with 30,000 Marks paid out to each one, so that they have no further rights or claim from my estate.
3. Since my entire fortune has been acquired only through my own efforts and my children are equally dear and of worth to me, it is my most fervent wish to put them all in the same category in my fortune. I have, therefore, decided that my son, Siegbert, in whose name two life insurance policies of the Leipzig Life Insurance Company each with 15,000 Marks, in total 30,000 Marks, and my son, Paul will receive payment of 30,000 Marks from my estate as an advance legacy to put him in the same category as my son, Fritz. I hope and wish that by this act of treating my sons in the same way on my part that they will follow my example and recognize, respect and love each other as equals and in this compete to be useful members of humanity and especially try hard to assist their mother to attain an old age free of worry.
4. My household fittings, furniture, linen and valuables etc. remain, in accordance with my will drawn up with my wife Carola, for use as her exclusive property until her death and are only after her demise or in the case of her re-marrying to be divided between my three sons.
5. Among my securities there are various documents and securities, which I have received for safekeeping. These have no financial benefit and after my death should be handed over to their respective owners, whose names are written on each document.

6. All further lots in my estate are my sole property. These were my first savings from my early youth, I amassed them by means of frequent hardships and I used the interest from them all the time for my poor relatives.

I make it a duty incumbent upon my heirs that if my relatives are in need of support, that this interest is to be used for the same purpose, at their own discretion.

All my lots are insured against drawing with the Wilhelma General Insurance Company in **Magdeburg respectively Berlin** and it is my wish that this insurance remains with the Wilhelma or another company.

7. The above-mentioned lots are to be added and credited to the division of the estate, however, it is my desire that they will not be sold, but rather taken over and administered by my three sons together, so that any profit resulting from these lots will be shared as a common heritage.
8. In thankfulness that Providence has graciously blessed my enterprises, I have decided that immediately after my funeral the following sum should be taken from my estate

M 2500 – in words two thousand five hundred Marks – should be taken and used for the following charitable purposes:

- a) Three hundred Marks as a donation to the Association for Jewish Nurses here;
 - b) Three hundred Marks to the Jewish Relief Association here;
 - c) Three hundred Marks to the Religious Foundation for Jewish Girls here;
 - d) One thousand Marks to the local Jewish community, in order that on the High Holidays my name will be mentioned in the synagogue as a donor;
 - e) Five hundred Marks to the local Maimonides Lodge as a donation for widows and orphans. The interest from this is to be used for widows or orphans in each case on the anniversary of my death;
 - f) Five hundred Marks to the local Institute for the Blind.
9. I have decided herewith out of caution and being inspired by the desire to provide not only for my children but also for their children if they exist, as far as possible, so that the executor of the share of the inheritance of each one of my sons (who is also handling the earlier terms of the will in § 3) 45% – forty-five per cent – are to be invested in the local royal main bank in nominee-proof securities or nominee-proof mortgages. A grandchild is to have his portion of the capital paid out to him upon his reaching full majority age or when he marries. My sons are to use the interest from this capital according to their own judgement for the well-being of their children until this point in time.

I am convinced that my sons will honor and comply with this provision. Should it be the case that I am mistaken, and that this provision were not implemented or that one of my sons were to refuse to recognize this provision or even be sued, he is to be released from the legal portion and the portion which would thus become free is to be equally added to those who fulfill my provision.

- 9a. Also, in as far as I have made decrees for the benefit of my children's children, my sons are not to be further limited with reference to the administration of their child's portion than what is stipulated in § 9. In particular, I do not wish there to be any legal interference, including any legal proceedings, as long as they do not have to take place according to legal regulations. In order to prevent any misunderstandings, I have decided that in the terms of § 9, each share of the inheritance will be calculated as one third of my net estate (compare § 13).
- 10a. After I have given notice of my last will, my estate should be dealt with in the following way:
The same according to a list which can be found at all times among my Papers
- a) from my house Fürtherstrasse 18 to the value of 150,000 Marks. It is encumbered with a mortgage of the Nuremberg Life Insurance Bank of 85,000. There is a surplus of 65,000.
 - b) from a mortgage at the second place of the of the factory premises of the firm Oettinger & Heidecker in Fürth, that is Schwarzach, from my stocks and shares, which are deposited in an open depository at the local Royal Main Bank and the Bavarian Discount Bank. These should be calculated at the current rate of exchange.
11. From the papers existing with my estate the following can be taken:
- a) M 20,000 – the capital sum brought in by my wife, Carola;
 - b) M 30,000 – the equalization sum for my son, Paul, set out in § 3;
 - c) M 2,500 – for the charitable donations given in § 8.
12. After the settlement of the above-mentioned provisions, the real cash in hand of my remaining fortune which I determine, in case in the meantime my house, Fürtherstrasse 18, should not have been sold, that the same should be taken over collectively by my three sons at M 150,000.
13. My three sons inherit the fortune left by me in completely equal portions.
14. As a result of our reciprocal will of 10th May 1893, my wife has claim to the enjoyment of the interest out of a child's portion, that is one quarter of the estate present after my demise, which for this purpose is to be calculated under deduction of the legacies in § 3 but under omission of the conditions.
14. Paragraph II. In view of the increasing demands of life, I have determined that, in case my wife has at her disposal after this less than 5,000 M, my heirs have to increase it to this sum.

This interest benefit right of my wife is to be gained for her according to the choice of the executor of the will in gilt-edged securities or gilt-edged mortgage securities. The securities are at the Royal Central Bank, Nuremberg under the title "Hermann Oettinger's relicts to be deposited with the stipulation 1.) that the interest during the lifetime of my wife may only be paid out to her or to someone designated by her in writing. 2.) that while my wife is still alive, the withdrawal or exchange of the securities is only to be permitted with the agreement of my wife and my heirs.

The same is also valid in the case of pledging or reserving the mortgage securities and the calling in of the mortgage in the same way – these may only take place with the agreement of my wife and my heirs.

If, at the time of my wife's death, any dispute about my estate is not yet settled, then the executor of my will is to act in the place of my heirs.

After the death of my wife, the subject of the securities is to be put at the unlimited disposal of the executor, that is to say my heirs.

15. If my wife as a widow marries again, which I do not suppose will happen, then the previously mentioned contribution from the children's part is to be equally shared among my three sons as if she had died.
16. It is my heart's desire that the pleasant family relationship between my wife and my children will continue also after my death. With this purpose in mind I am leaving it up to my wife to hand over her marriage property or private assets if my sons or one of them should desire this for the purposes of business activities or any other purpose. If this is to be achieved in return for securities, it is up to my wife to choose. However, in all circumstances my three sons have to take upon themselves the concerted liability for the correct payment of interest. If my wife hands over her marriage property and private assets to my sons or to one of them, I recommend to them that they give 5% interest at least in thankful recognition.
17. I choose my eldest son Siegbert Oettinger, Lawyer, as my executor, and if he is through any reason prevented from undertaking this office of honor, my son, Paul Oettinger, is to take care of the inheritance arrangements.
18. I do not want any involvement of the judicial authorities or probate court and order that in the event of any differences of opinion a court of arbitration made up of my brother-in-law, Joseph Hoenigsberger, the Bank Director, Stefan Hirschmann, Mr Moritz Silberschmidt, the councilor of the higher regional court, together in Nuremberg, will have the authority to decide concerning all disputes. My heirs must in all circumstances submit to the decisions of the court of arbitration, if they are adversely affected concerning their legal portion.

If it is the case that one or other of the arbitration judges refuses to take on the office or is no longer alive when I die, the surviving ones should make up the full number through co-option.

- 18a. All disputes between my wife on the one hand and my heirs or the executor on the other hand should be subject to this arbitration court regarding all claims, which my wife raises on grounds of the decisions in my reciprocal will from 10th May 1893 and my will of today. In particular this is valid in regard to all claims that are concerned with the administration of the marriage income of my wife through me. If my wife should oppose the appointment of the court in respect of her claims, I determine that the assured preferential treatment in 14 Paragraph II be cancelled and that her interest benefit be restricted to the children's share.
19. I have made the above decisions after careful consideration and being of a sound mind and with the inner desire that these may bring happiness, joy and blessing to all my dependents.
20. I have written the above will personally, and have personally put in the place and day of its establishment, and it is signed with my own signature.

Nuremberg, 18th July 1916. Hermann Oettinger.

Handwritten: Nuremberg 12th August 1920.

To the above last will and testament I am adding

- 1) In the place of my late brother-in-law Joseph Hoenigsberger, I name my nephew, Max Lamm, as arbitrator.
- 2) The amount fixed at M 5,000 in Clause 14 paragraph II, I raise to M 8,000 – eight thousand Marks.

Hermann Oettinger

In Certification:

(Signature)