

Civil Case: Burk vs Covington

Name in Record	Reason for Being in Record	Date of Record
Barbara Covington	Summoned to court to answer Mary Burk on petition to partition	May 14, 1859
Thomas Covington	Summoned to court to answer Mary Burk on petition to partition	
William T. Burk	Summoned to court to answer Mary Burk on petition to partition	
Eliza C. Burk	Summoned to court to answer Mary Burk on petition to partition	
Mary J. Burk	Summoned to court to answer Mary Burk on petition to partition	
Cenith A. Burk	Summoned to court to answer Mary Burk on petition to partition	
John W. Burk	Summoned to court to answer Mary Burk on petition to partition	
Aaron A. Burk	Summoned to court to answer Mary Burk on petition to partition	
James B. Simcoke	Clerk	
Thomas & Barbara Covington	Of Allen Co., Summoned to answer Mary Burk on petetion	May 15, 1859
James B. Simcoke	Clerk	May 21, 1859
William T. Burk	Of Lagrange Co., Summoned to answer Mary Burk on petition	
Mary Jane Burk	Of Lagrange Co., Summoned to answer Mary Burk on petition	
James B. Simcoke	Clerk	July 11, 1859
Asenith Amanda Burk	Of Allen Co., Summoned to answer Mary Burk on petetion	
James B. Simcoke	Clerk	
Mary Burk	Plaintiff:Filed Petition for Partition	Aug. Term 1859
Barbara Adoline Covington	Defendant	
Thomas Covington	Defendant	
Eliza Catherine Burk	Defendant	
Jane Burk	Defendant	
Asenith Amanda Burk	Defendant	
John Wesley Burk	Defendant	
Aaron Archer Burk	Defendant	
Mary Burk	Oath: widow of John Burk who d. testate 1859	
John Burk	Will was admitted to probate April 1, 1859	
Barbara Adoline	Daughter & heir of John Burk; minor under aged 21	
William Thomas Covington	Son & heir of John Burk; minor under aged 21	
Eliza Catherine Burk	Daughter & heir of John Burk; minor under aged 21	
Mary Jane Burk	Daughter & heir of John Burk; minor under aged 21	
Acenith Amanda Burk	Daughter & heir of John Burk; minor under aged 21	
John Wesley Burk	Son & heir of John Burk; minor under aged 21	
Aaron Archer Burk	Son & heir of John Burk; minor under aged 21	
Thomas Covington	Husband of Barbara Adoline Covington	
Mary Burk	Request land be divided: 1/3 for her and 2/3 for children	
M. V. B. Simcoke	Attorney for Plaintiff	

Roll No 60 (52)

Mary Burk

W. Partition

Barbara A Covington

Thomas Covington

Eliya C Burk

Jane Burk

Asenith Burk

John W Burk

Aaron A Burk

~~1st 9~~
Box 12

State of Indiana as In the Court of Common Pleas
Adams County August Term 1859.

Mary Burk

vs
Thomas Covington,

Ely's Catharine Burk

John Burk

Aronith Amanda Burk

John Wesley Burk &

Aaron Archer Burk

Petition for Partition

To the Honorable Judge
of the Court of Common Pleas of Adams County and
State of Indiana

Your petitioner Mary Burk of Adams County
and State of Indiana. Respectfully represents
that she is the widow of John Burk late of said County
deceased and that the said John Burk departed this life
on or about the day of A.D. 1859, and
that he died testate making testamentary provision
for your petitioner which said will was admitted to
Probate on the 1st day of April 1859. And that your
petitioner filed her renunciation under the will and
her election to take her appointment of his Estate
under the Statute. Your petitioner further repre-
sents, that the said John Burk, died seized in fe-
simple of the following described Real Estate to wit
The North half of the North East quarter of the South
East quarter of section twenty one (21) in township
twenty Eight (28) North of Range fourteen (14) East
in the said County of Adams and in lots number twenty
five (25) number (23) twenty three, number Eleven (11) number

two (2) and minor one (1) in the Town of Monmouth
in the said County of Adams as the same are recorded
on the Recorded List of said Town now in the Recor-
ders office of said County. And that he left as his
heirs at law your Petitioner his widow and given
children to wit: Barbary Adeline, W^m Thomas,
Elija Catharine, Mary Jane, Acemith Amanda,
John Wesley & Aaron Archer minors under the age
of twenty one years, all of whom are tenants
in Common with your Petitioner, And that Barbary
Adeline one of said children above named has in-
termarried with one Thomas Covington Your
Petitioner would further Represent that she as the
widow of said John Burk deceased has a legal right
and is seized in fee simple free from all demands
of Creditors the undivided one third part in value
of the land and town lots above described. And
that Barbary Adeline Covington, W^m Thomas Burk
Elija Catharine Burk, Mary Jane Burk, Acemith
Amanda Burk, John Wesley Burk and Aaron
Archer Burk, are jointly entitled to the undivided
two thirds part in value of the said land and town
lots, above described and your petitioner being de-
sires of having her portion of said land and
town lots set off to her prays that said Barbary
Adeline Covington Thomas Covington, William
Thomas Burk, Elija Catharine Burk Mary Jane
Burk, John Wesley Burk, Acemith Amanda Burk
and Aaron Archer Burk may be made defendants to
this petition and that upon the hearing of the case
the Court the court will appoint three disinter-
ested free holders of said County of Adams
to make partition of the above described land

and town lots between the said petitioner,
one third part in value of the above described
land and townlots between the said petitioner
as plaintiff and the said defendants, by setting
off, in severally to your said petitioner one
third part in value of the above described land
and town lots and by setting off jointly
to the said Barbary Adeline Covington
W^m Thomas Burk Elija Catharine Burk
Mary Jane Burk Acemith Amanda Burk
John Wesley Burk and Aaron Archer Burk
the other two thirds in value of said land &
town Lots for their Respective shares thereof
And if partition thereof cannot be made with-
out damage to the owners thereof then that
the same may be sold under the direction
of the Court and the proceeds be distributed
to the said Mary Burk and to the said
Barbary Adeline Covington William Thomas
Burk Elija Catharine Burk, Mary Jane
Burk Acemith Amanda Burk John Wesley
Burk and Aaron Archer Burk according
to their respective rights and grant such
other and further relief as may be equit-
able in the premises and your petitioner will
ever pray, &c.

M. V. B. Johnson
Atty for Plaintiff

The State of Indianü, to the Sheriff of Adams County

You are hereby commanded to summon, *William V. Burk*
and *Mary Ann Burk*

to appear in the Court of Common Pleas of Adams County, on the 10th day of the
Next Term thereof to be held at the Court House in Decatur, on the 1st Monday in
August next, Then and there to answer *Mary Burk*
on a Petition for Partition.
and of this summons make due return.

WITNESS, The Clerk and Seal of the Court this 21st day of
May 1859.

James Whinnick

The State of Indianü, to the Sheriff of Allen County

You are hereby commanded to summon, *Barbary Covington*
and *Thomas Covington*

to appear in the Court of Common Pleas of Adams County, on the 10th day of the
Next Term thereof to be held at the Court House in Decatur, on the 1st Monday in
August next, Then and there to answer *Mary Burk*
on a Petition for Partition
and of this summons make due return.

WITNESS, The Clerk and Seal of the Court this 13th day of
May 1859.

James Whinnick

The State of Indianü, to the Sheriff of Adams County

You are hereby commanded to summon, *Barbary Covington*
Thomas Covington, *Wm V. Burk*, *Dejo*
C. Burk, *Mary J. Burk*, *Samuel T.*
Burk, *John W. Burk* & *Jared Burk*

to appear in the Court of Common Pleas of Adams County, on the 10th day of the
Next Term thereof to be held at the Court House in Decatur, on the 1st Monday in
August next, Then and there to answer *Mary Burk* on
a Petition for Partition
and of this summons make due return.

WITNESS, The Clerk and Seal of the Court this 11th day of
May 1859.

James Whinnick

The State of Indianü, to the Sheriff of Allen County

You are hereby commanded to summon, *Thomas Covington*
and *Barbary Covington*

to appear in the Court of Common Pleas of Adams County, on the 10th day of the
Next Term thereof to be held at the Court House in Decatur, on the 1st Monday in
August next, Then and there to answer *Mary Burk*
on a Petition for Partition
and of this summons make due return.

WITNESS, The Clerk and Seal of the Court this 24th day of
May 1859.

James Whinnick Clerk, C. C.

The State of Indiana, to the Sheriff of Allen County.

You are hereby commanded to summon Iseneth Amanda
Burk

to appear in the Court of Common ^{pleas of Adams County} on the 1 day of the next Term
thereof to be held at the Court House in Decatur on the 1
Monday in August ^{next} there and there to answer Mary
Burk on Petition for
Partition

and of this summons make due return.

WITNESS, The Clerk and Seal of the
Court, this 11th day of July

1859

James B. Vincke
Clerk Adams County,