

Estate of John Burk - 1859

Name in Record	Reason for Being in Record	Date of Record
John Burk	The deceased	
Benjamin J. Rice	Administrator	
Josiah Archer	Presents claim against estate	
Benjamin J. Rice	Administrator; ordered to pay Josiah Archer \$20.00 per his claim	August 1, 1859

Name in Record	Reason for Being in Record	Date of Record
John Burk	The deceased	
Benjamin Rice	Administrator; presents inventory & appraisement	
Benjamin Rice	Administrator; requests order to sell real estate	
Barbary Adaline Burk	Minor heir	
William Thomas Burk	Minor heir	
Eliza Catharine Burk	Minor heir	
Mary Jane Burk	Minor heir	
Asenith Burk	Minor heir	
John Wesley Burk	Minor heir	
Aaron Archer Burk	Minor heir	
William G. Spencer	Appointed guardian of minor heirs	
Unnamed widow	Entitled to 1/3 of real estate	
Benjamin Rice	Administrator; ordered to sell real estate at public auction in Sept.	Aug. 1, 1859

Name in Record	Reason for Being in Record	Date of Record
John Burk	The deceased	
Benjamin J. Rice	Administrator	
Josiah Archer	Presents claim against estate	
Benjamin J. Rice	Administrator; ordered to pay Josiah Archer \$30.00 per his claim	No date

August Term 1859 the 1st day

August 1st 1859,

239

39

Matter of the Estate }
of } Administration Claims \$20—
John Burk }

Comes now Benjamin Rice the Administrator in the behalf and comes also Josiah Archer and presents his claims against said Estate when said claim is in words and figures following to wit (to) which said claim the Administrator admits to be just and true and properly chargeable against said Estate It is therefore ordered by the Court that the said Administrator pay Josiah Archer the sum of twenty dollars the amount of his said claim out of the assets in his hands belonging to said Estate All of which is ordered adjudged and determined by the Court.

39

Matter of the Estate of
John Park } Administration Claim \$300

Comes now Benjamin J. Reed the
Administrator in the behalf and comes also
Josiah Archer and presents and files his
claim against said Estate which said claim is
in words & figures following to wit; (his) which said
claim the Administrator admits to be just and true
and properly chargeable against said Estate. It is
therefore ordered by the Court that the said Administrator
pay Josiah Archer the sum of thirty dollars
the amount of his claim against said Estate, out
of the assets remaining in his hands belonging to
said Estate all of which is ordered adjudged
and determined by the Court.

37

Matter of the Estate
John Mark

} Administration Application to the
Court.

James now Benjamin Rice
 the Administrator in this behalf and present the
 Petition verified by oath wherein said Petition
 was heretofore filed in the Clerk's Office of said
 Court, asking for an order to see Read,
 & state in the behalf which said Petition is
 in words and figures following to wit (to I)
 and also produced & filed in Court a copy
 of the same and Proof of Publication
 to the heirs of said deceased of the filing &
 redundancy of the said Petition, which was
 notice & figures following to wit (to I) &
 thereupon on Motion of the Administrator
 the said Defendants were then sent and by
 called by the Sheriff, but and not but wholly
 made Default, and it being suggested
 to the Court that Barbara Adeline Brooks, Mary Ann
 Eliza Brooks, John Westley Brooks
 John A. Smith Brooks, Brooks and Minor
 and Aaron Archer
 understants one year of age and thereupon
 the Court appointed Wm. G. Spencer Esq.
 an Attorney of this Court of Guardian & full
 term, who now resides in Open Court accepts
 said Court, and files said Affidavit of said
 Guardian Ad Litem, for said Minor which

12 August Term 1859 the 1st day August 1st 1859

which said answer is in words & figures following the ant
 (A. D.) And the said Administrator files his
 bond for the sale of the lands to the approval
 of the Court which said bond is in words & figures
 following to wit (A. D.) And the said Administrator
 presents his inventory hereto for filed in the
 Clerk's office of said Court of the appraisment of
 said lands which said inventory is in words
 and figures following to wit (A. D.) And the
 matter being set down for hearing upon
 Petitioner's default answer of Guardian
 Ad litem title papers and oral proof
 and the Court being fully advised in the premises
 finds that said decedent died seized in fee simple
 of the lands in said Petitioner mentioned and
 described to wit; The North half of the North
 East quarter, of South East quarter of section thirty
 one (21) Town ship twenty eight (28) North Range
 fourteen East, in the County of Adams and in
 lots No twenty five (25) twenty three (23) eleven
 (11) two (2) one (1) in the Town of Moremouth
 in the said County of Adams of the land and
 recorded on the recorded plot of said Town
 now in the records office of said County
 And that the widow of said decedent is entitled to one
 undivided third part, and the other heirs of said
 decedent are entitled to two undivided thirds
 part of said Premises which said two thirds is
 estimated to contain ^{acres} ^{besides the}
 two thirds of the said lots, and that said lands ought
 to be sold by said Administrator of said estate
 and made assets in his hands for the payment
 of debts and expences of Administration
 of said estate. It is therefore Ordered by
 the Court that said Administrator proceed
 to sell said lands at public Auction at the
 Court house Door in the Town of Decatur
 in said County on the 24th day of September
 in the year of our Lord one thousand
 eight hundred and fifty nine for one third
 of the purchase money in hand one third in six
 months and the remainder in twelve months from
 the day of sale the purchaser to give note for
 the deferred payments waving foreclosure and
 laws and with interest from date And that
 he give four weeks public notice of the time and place and
 Term of said sale in some public newspaper if there
 be any published in said County where said Real
 estate is situate and by setting up notices thereof
 at not less than five public places in the County where

August Term 1859 ^{1st} pt, by August 1st 1859.

243

of which shall be in the Township in which said real estate is situated and that the said Administrator report his proceedings in the premises to this Court at its next regular term all of which is ordered adjudged and determined by the Court and on motion of the said Administrator, the matter is continued,