

## Will of Martha E. Burk

Name in Record	Reason for Being in Record	Date of Record
Martha E. Burk	Makes her last will & testament	July 20, 1956
Vivian E. Beavers	Daughter; inherits dinner set	
Avon Burk	Son; shares balance of estate with siblings	
Sim Burk	Son; shares balance of estate with siblings	
Winifred F. Holthouse	Daughter; shares balance of estate with siblings	
Vivian E. Beavers	Daughter; shares balance of estate with siblings	
Mary A. Sutton	Daughter; shares balance of estate with siblings	
Avon Burk	Son; appointed executor of will of Martha E. Burk	
Joyce Loshe	Witnessed Martha Burk making her last will	
David A. Macklin	Witnessed Martha Burk making her last will	
Martha E. Burk	Died	Nov. 7, 1960
Avon Burk	Oath of death	Nov. 15, 1960
Richard D. Lewton	Clerk	
David A. Macklin	Subscribing witness; oath of validity of will	Nov. 15, 1960
Richard D. Lewton	Clerk	
Richard D. Lewton	Clerk; will has been admitted to probate	

LAST WILL AND TESTAMENT OF MARTHA E. BURK

I, Martha E. Burk, being of sound mind and disposing memory, do hereby make, publish, and declare this to be my Last Will and Testament and do hereby revoke any and all wills or will by me heretofore made.

ITEM I

It is my will, and I hereby direct my executor hereinafter named to pay all my just debts, funeral expenses, costs of last sickness, and cost of administration out of the assets of my estate.

ITEM II

I give and bequeath to my beloved daughter, Vivian E. Beavers, my Limoges Haviland dinner set to be hers absolutely and forever.

ITEM III

All the rest and residue and remainder of my estate, be the same real, mixed, or personal and wheresoever situated, whereof I may die seized, or to which I may be entitled to at the time of my death, I give, devise and bequeath to my children, Avon Burk, ~~Sis~~ Burk, Winifred F. Holthouse, Vivian E. Beavers and Mary A. Sutton, share and share alike in fee simple absolutely and forever.

ITEM IV

It is my desire and I hereby appoint my beloved son, Avon Burk as executor of this my Last Will and Testament.

IN WITNESS WHEREOF, I Martha E. Burk have hereunto set my hand and seal this 20th day of July, 1956, at the City of Decatur, Adams County, Indiana.

s/ MARTHA E. BURK  
Martha E. Burk

Signed, sealed, published and declared by the testatrix, Martha E. Burk, as and for her Last Will and Testament in our presence and we at her request and in her presence and in the presence of each other after having observed the mental capacity of said testatrix and believing she had capacity to execute this will have hereunto subscribed our names as witnesses thereto this 20th day of July, 1956.

WITNESSES. . . . { s/ JOYCE LOSHE  
{  
{ s/ DAVID A. MACKLIN

AFFIDAVIT OF DEATH and PROOF OF WILL and CERTIFICATE OF PROBATE  
(By Subscribing Witness)

Estate No. 5603

STATE OF INDIANA, }  
COUNTY OF ADAMS } SS:

IN THE ADAMS CIRCUIT COURT

THE ESTATE OF }  
 MARTHA E. BURK }  
 Deceased }

Docket \_\_\_\_\_ page \_\_\_\_\_

AFFIDAVIT OF DEATH

Avon Burk, being duly sworn, on oath says that Martha E. Burk died on or about the 7th day of November, 1960 and at the time of such death was a resident of such county and state.

s/ AVON BURK  
 Avon Burk

Subscribed and sworn to before me this 15th day of November, 1960.

(SEAL)

s/ RICHARD D. LEWTON Clerk  
 Richard D. Lewton

PROOF OF WILL (By Subscribing Witness)

David A. Macklin, being duly sworn by the undersigned Clerk of the Adams Circuit Court of Adams County, Indiana, on oath says:

1. Affiant is one of the subscribing witnesses to the foregoing written instrument dated July 20th, 1956, purporting to be the LAST WILL AND TESTAMENT OF Martha E. Burk (hereinafter called the "decedent").

2. Such instrument was on the date thereof duly executed, published and declared by such decedent to be the Last Will and Testament of such decedent.

3. At such time, such decedent was the full age of twenty-one years, of sound and disposing mind and memory, under no coercion, compulsion or restraint, and competent to devise her property.

4. Such decedent signified that such instrument was her Last Will and Testament, and duly executed same, in the presence of the subscribing witnesses thereto, namely, the affiant and Joyce Loshe.

5. In the presence of such decedent and in the presence of each other, each of subscribing witnesses attested and signed the same as witnesses thereto.

s/ DAVID A. MACKLIN  
 David A. Macklin

Subscribed and sworn to before me, in witness of which, I hereunto affix the seal of such Court, and subscribe my name at Decatur, Indiana, this 15th day of November, 1960.

(SEAL)

s/ RICHARD D. LEWTON Clerk  
 Richard D. Lewton

STATE OF INDIANA, COUNTY OF Adams, SS:

CERTIFICATE OF PROBATE

I, Clerk of the Adams Circuit Court of Adams County, Indiana, do hereby certify that:

- (1) the foregoing Will and Testament of Martha E. Burk, deceased, has been duly admitted to probate before Clerk of Adams Circuit Court in Vacation; (2) the same was proved by the examination under oath of David A. Macklin, one of the subscribing witnesses thereto;
- (3) Such will has been recorded in Will Record N page 206 in the Will Records of such County; and (4) a full and complete record of such will and of the proof and examination of the witness by whom the same was proved and of the Order of Probate relating thereto has been made and is now of record in the records of the Clerk of such county pertaining to such

Court.

In TESTIMONY WHEREOF, I have hereunto affixed the seal of such Court, and subscribed my name at Decatur, Indiana, this 15 day of November, 1960.

(SEAL)

s/ RICHARD D. LEWTON  
Richard D. Lewton, Clerk  
Adams Circuit Court