PROBATE
ORDER
BOOK

3

NOV. 1839
APR. 1844

November Term 1839

At the November Term of the Hendricks Probate Court, begun and held at the Court House in the Town of Danville on Monday the Eleventh day of said Month in the year Eighteen Hundred and thirty Nine

Present the Honorable James McClure Sole Judge of said Court.

Simon D. Hadley
Guardian

Comes now the said Guardian and files a report. Whereby it appears that he has in his hands of money belonging to his said wards the sum of five Hundred and eighty nine dollars and seventy five Cents. which is loaned at interest. Ordered that said guardian be Charged therewith. And further proceedings herein are Continued

John Montague's
Estate

On motion to the Court by Christian & Nave. it is ruled that Henry Perry administrator of said estate. who was at the last term of this Court, authorized to sell certain real estate belonging to said estate, and required to file an additional bond. file such bond with Security on or before the calling of this cause tomorrow Morning. And the said Perry now files his bond with James Taylor his Security which is deemed good and sufficient by the Court. And further proceedings herein are Continued

Samuel Starbuck
Guardian

Comes now Samuel Starbuck Guardian of the estate of the heirs of Lepe Conner's estate and files a report, whereby it appears that he has received into his hand the sum of Thirty nine dollars and sixty two cents of money belonging to said heirs, and which is loaned at ten per cent Ordered that he be charged therewith. And further proceedings herein are continued

Richard Askren
Guardian

Comes now Phillips McClain and Thomas D. McClain the securities of the said Richard Askren Guardian of the person and estate of Sarah Askren and file their petition, praying to be released from any further liability on account of their being such security Wherefore it is Ordered that a citation issue against the said Richard Askren directed to the sheriff of Owen County Commanding him to cite the said Richard Askren guardian as aforesaid to appear at the next term of this Court, and report the amount of money or other effects in his hands belonging to this said ward, And also to give other security for his said guardianship And further proceedings herein are Continued

November Term 183?

Hiram Tomlinson's
Estate

Letters of Administration on the estate of Hiram Tomlinson late of Hendricks County deceased having been issued and granted to Moses Tomlinson by the Clerk of this Court in vacation, and the granting thereof being now inspected by the Court It is ordered that the acts of the Clerk in the premises be in all things Confirmed And further proceedings herein are continued

Wesley McKinley's
Estate

The Clerk of this Court having granted and issued Letters testamentary on the estate of Wesley McKinley late of Hendricks County deceased, to Andrew J. Shallody in vacation, and the granting thereof being inspected by the Court It is Ordered that the same be in all things Confirmed. And further proceedings herein are continued

Philips Bereley's
Estate

The Clerk of this Court having in vacation granted and issued letters of Administration on the estate of Philip Bearly deceased to John Baker and Simon J. Hadley, and the granting thereof being inspected by the Court. It is ordered and adjudged that the acts of the Clerk in the premises be in all things confirmed And further proceedings herein are continued

And the said administrators now file an Inventory and Sale Bill, also the widows receipt for property by her selected and taken at its appraised value, all of which are Ordered to be recorded and further proceedings herein are continued

November Term 1839

Levi F. Varntz's Estate

Letters of Administration on the estate of Levi F. Varntz deceased having been granted and issued by the Clerk of this Court in vacation to Jeremiah Depew and the granting thereof being now inspected and examined by the Court It is Ordered and adjudged that the acts of the Clerk in the premises be in all things confirmed And further proceedings therein are Continued

James C. Jones's Estate

The Clerk of this Court having in vacation issued and granted letters of Administration on the estate of James C. Jones late of Hendricks County deceased to Daniel D. Hamilton, and the granting and issuing thereof being now inspected by the Court. It is Ordered and adjudged that the granting and issuing of said letters by the said Clerk as aforesaid, be in all things confirmed And further proceedings therein are continued.

John Pickett's Estate

Letters of administration on the estate of John Pickett deceased, having been by the clerk of this Court granted and issued in vacation to Aaron Badley, and the granting thereof thereof by the clerk as aforesaid being inspected and examined by the Court It is Ordered and adjudged that the acts of the Clerk be in all things Confirmed. And further proceedings therein are Continued

November Term 1839

William King's Estate

The Clerk of this Court having in vacation granted and issued letters of administration on the estate of the said William King deceased, to William A King & Robert H King and the granting of the same being now here by the Court examined and inspected, It is Ordered and adjudged that the acts of the Clerk be in all things Confirmed, And further proceedings therein are Continued

Ezra Cox's Estate

Came now Charles Reynolds Executor of said estate and files and additional Inventory & Sale Bill which are Ordered to be recorded. And also files a Deed of conveyance for a tract of Land belonging to said estate lying and being in the State of North Carolina. And it appearing to the satisfaction of the Court from testimony now here addduced that the land described in said deed, is not of value sufficient to Justify said Executor and the estate in Making Sale thereof. It is therefore Ordered that the said executor be released from any liability or responsibility on account of said tract of Land, and that the Deed remain on file in this Court, subject to the disposal control of the heirs of said estate. And Came now Susanna Reeves, formerly Susanna Cox and widow of said deceased and files a Claim against said estate, for various articles purchased by her for the benefit and use of the heirs of said estate, during her widowhood, Amounting to the sum of One Hundred and twenty five dollars and thirty eight Cents, which is allowed by the Court, And it is Ordered that the same be paid to the said Susanna by the said Charles Executor as aforesaid Reynolds out of any Money in his hands belonging to said estate. And William Cox files a Certificate of Appointment and oath of Executorship and Letters Testamentary issued to him by the Clerk of this Court And further proceedings therein are Continued

And day is given

November Term 1839

Michael Robbin's Estate

Comes now Lob Osborn Administrator of said estate and files the following Report Viz: And the premises being seen and understood by the Court It is Ordered and adjudged that the sale so made as aforesaid be in all things Confirmed. And it is further Ordered that the said Lob Osborn, Make and execute to the said Lewis Dodd on the payment of the full amount of purchase Money, a deed of Conveyance for the premises aforesaid. And further proceedings herein are Continued

Hugh P. Smith vs David Vestal Ex'r } A Summons

Came now the parties by their Attorneys, and on Motion of the plaintiff this Cause is Continued to Wednesday the third day of this term at the Costs of the plaintiff. Ordered that the plaintiff pay the Costs occasioned by such Continuance and that on failure thereof he may be attached.

And Court adjourned until Tomorrow Morning Nine Oclock

Signed November the 12th in the year Eighteen Hundred and thirty Nine

James McClure

November Term 1839

Tuesday Morning Nine Oclock November the Twelfth Eighteen Hundred and thirty Nine Court in Session pursuant to adjournment Present the same as yesterday

William Cox's Estate

Recorded

Comes now Harrison Cox one of the executors of said estate, and files vouchers herein against the estate numbered from One to 27 both inclusive, amounting to the sum of Three Hundred and three dollars and fifty and three fourth Cents ($303.50¾) Which are examined and allowed by the Court. And Ordered to be placed to the Credit of said executors And further proceedings herein are Continued

Charles Daves's Estate

Comes now Jandy Scott administrator of said estate and files vouchers herein against said estate numbered from one to 8 both inclusive, Amounting to the sum of One Hundred and fifty seven dollars and Sixty Cents ($157.60) Which are now here examined and allowed by the Court, and it is Ordered that the said Administrator receive a Credit for that Amount. And further proceedings herein are Continued

November Term 1839.

Ezra Cox's
Estate

Comes Charles Reynolds Executor of said estate and files the following Memorial Towit (Here insert) Whereupon it is on motion of said executor Ordered that a Citation ispue against the Heirs of said estate Towit William P. Cox, John P. Cox, Belinda Woodward, Matilda Pearce, Jane Cox, Clarissa Cox, Polly Cox Susanna Cox, Bazall M. Cox, & Wesley L. Cox Children of said deceased, and Enoch Lesley Who has intermarried with the said Susanna widow of said deceased, and also the said Susanna, directed to the Sheriff of Hendricks County Commanding them to Cite the aforesaid heirs to appear at the next term of this Court and Show Cause if any they have Why the tracts of Land aforesaid Shall not be Sold pursuant to the provisions of said will. And further proceedings herein are Continued.

Elijah Anderson Guardian
of Margaret Jane Hamm

Comes Anon the said Guardian and files the following Memorial Towit Wherefore it is on Motion of said guardian Ordered that Simon T. Hadley, Samuel Meloque & Joel Self be appointed appraisers to appraise the said South half of the South East quarter of Section Seventeen in Township Sixteen North of Range One West with the appurtenances, and to make report of such appraisement to this Court during the present Term And day is given

Joel Self Administrator
of the estate of Henry D Carter dec'd
Vs
The Creditors of said Henry D Carter

Complaint of Insolvency

Comes the said administrator and files his Memorial (insert it) Showing the condition of said estate, and Complaining that the property of said estate is insufficient to pay the debts and demands outstanding against it; It is therefore Ordered, that the filing and pendency of the said Complaint be made known to the creditors of the said Henry D. Carter, deased by a publication of this Order for six weeks successively in the Indiana Democrat a weekly newspaper published in Indianapolis in Marion County, and that they be informed that unless they notify the said Administrator of the existence and extent of their respective claims, by filing the same, or a Statement of the nature, date and description of the contract or Agreement upon which the same may be founded, in the office of the Clerk of this Court previous to the final distribution of the assets of the estate of the said decedent such Claims will be postponed infavor of the claims of more diligent creditors. And further proceedings herein are continued

And Court adjourned until Tomorrow Morning Nine Oclock

Signed November the 13th in the year Eighteen Hundred and thirty Nine

James McClure

November Term 1837

Wednesday Morning Nine Oclock November the Thirteenth in the year Eighteen Hundred and thirty Nine

Court in Sesion pursuant to Adjournment

Present the same as yesterday

Elijah Anderson Guardian
of Margaret Jane Hamms

Comes now the said Simon J. Hadley, Samuel Meloque and Joel Self the appraisers heretofore appointed and make and file the following Report (here insert) Wherefore it is on due proof and consideration of the premises Ordered that Simon J Hadley be appointed Commissioner to make sale of the said South half of the South East quarter of Section Seventeen in Township Sixteen North of Range one West with the appurtenances thereunto belonging. it being the real estate of the said Margaret Jane Hamms. And it is further Ordered that the said Commissioner, before offering the said property for sale, Shall give at least twenty days Notice of the time and place of offering the same, by Notices in writing set up at five publick places in said County of Hendricks two of which Shall be in the vecinity of said Land; And after giving such Notice the said Commissioner Shall proceed to sell said premises by public Vendue on a Credit of twelve Monthes from the time of Such Sale, taking the purchasers Note with good and Sufficient Security for the payment of the purchase money and also, Holding and reserving the right and title of the said property until the full payment of the said purchase Money). And it is further Ordered that the said Commissioner Make out and deliver to the purchaser a certificate, particularly Stating the terms of Sale, the amount of purchase Money, and that on the payment of the full amount thereof he will be entitled to a Deed

of Conveyance for the said premises, provided the said sale be confirmed by this Court, and that in case the said sale shall be set aside, then he will be entitled to a Return of his note, or the amount of Money by him paid. And it is further Ordered that the said Commissioner Make report of his proceedings in the premises, and deposit the avails of the sale in this Court at the next term And further proceedings therein are Continued

John Leach's Estate

Came now Enos Leach one of the heirs of said estate, and files his petition praying the Court to distribute and pay over to him, his equal Share of said estate. And also identifys him Self to be such heir by the testimony of William Montgomery. And the said Enos Leach being by the Court examined under oath Concerning of advancements says he never has received any thing of his father by way of advancement Wherefore it is ordered that the sum of One Hundred dollars be paid over to the said Enos Leach by his filing his bond with security to refund the Same or so much thereof as may be necessary. Should any unknown heir or Creditor hereafter be discovered. Which said Sum of One Hundred dollars is now there paid to the said Enos, and he files his bond accordingly

November Term 1839

David Foxe's Estate

Comes now John A. Bray Executor of said estate, and files a Claim of $6 for enclosing the grave of the deceased, And a Claim of twenty dollars for money paid Christian C. Nave on the Compromise of a Chancery suit in the Hendricks Circuit Court wherein Alexander Bryant was Complainant, and the said Bray as Executor of said estate, with others were defendants And also a Claim for his own Services as such executor and the Services of his wife as executrix Amounting to Sixteen dollars, which Several Sums are allowed by the Court, Amounting in all to the Sum of $42.00 And the said Executor also files receipts as vouchers against said estate numbered from one to nine both inclusive, Amounting in all to the sum of $54.30 which being added to the said sum of $42.00 above allowed Makes the sum of $96.30 And the said Executor also returns here into Court Notes and accounts due said estate, Amounting to the sum of $360.43¾ which added to the said Sum of $96.30 Makes the sum of $456.73¾ And the said Executor Claims a Credit of $88.67½ for an account of that amount against the estate of Jacob Foxe which he alledges was lost on a Compromise, and a further Credit of $11.24 for an ox Manassa Foxe (which has heretofore been allowed by this Court) which said sums are allowed and ordered to be placed to the credit of said Executor, And which being added to the aforesaid sum $456.73¾ Makes the sum of $556.65¼ And the said John A. Bray executor as aforesaid pays here into Court two dollars & twenty five and a half cents. Which added to the last Mentioned Sum Makes $558.94½ and Covers the whole amount with which said Executor Stands Charged And thereupon the said John A. Bray asks the Court to discharge him as such executor and appoint in his

stead and administrator with the will annexed to take charge of and administer said estate. And the premises being seen and understood by the Court it is Ordered that the said John A Bray be discharged from and further care or future responsibility as such executor. And it is further ordered that Thomas Higgins be and he is appointed administrator of the said estate of David Fox. And now comes the said Thomas Higgins and files his bond with security which is deed good and sufficient by the Court and is sworn as such administrator. and receives here in open Court into his hands the Notes, accounts and Money returned herein into Court by the said John A. Bray And further proceedings therein are continued

John M Hollingsworth

vs

Thomas Gosett & Samuel Gosett
Administrators of Robert C. Gosett

Assumpsit

Come now the parties by their attorneys and submit this cause to the Court upon the issue aforesaid. and the proofs being heard and understood, & the Court sufficiently advised in the premises find for the plaintiff and assess his damages at twenty dollars. And the said defendants now move and file the following Statement of Causes why said Judgment should be arrested the Court in arrest of Judgment, and the said defendants by Nave their attorney as well as the plaintiff by Trenton his attorney are now heard in argument heard. and the Court being fully advised in the premises overrule said motion. It is therefore Considered by the Court that the plaintiff recover of the defendants the said sum of twenty dollars to be levied of the assets in the hands of the said defendants administrators as aforesaid

belonging to the estate of the said deceased, and also his Costs and Charges herein laid out and expended taxed at . . dollars and cents to be levied in like manner And the defendants in Mercy &c And the said defendants now file their Bill of exception taken herein

William Fox's
Estate

Comes now John Fox administrator and files vouchers herein against said estate numbered from one to four both inclusive, Amounting in all to the sum of $24.65 and pays into Court the sum of $ 14.00 in Cash. Making of vouchers the sum of $38.65 which is ordered to be placed to the Credit of said administrator And further proceedings herein are Continued

Isaac Reagan's
Estate

Comes now Reason Reagan on of the administrators of said estate, and files vouchers against the estate herein numbered from one to five both inclusive amounting to the sum of $46.43½ which after being examined and inspected by the Court are allowed and received as vouchers, and Ordered to be placed to the credit of the administrators, and further proceedings herein are Continued

November Term 1839

Mizel English's
Estate

Comes now Jonathan English administrator of said estate and files receipts as vouchers against said estate numbered from one to Eight both inclusive amounting in the Whole to the sums of $15.66. Which covers the Whole amount with which he stands charged, and fully settles and closes the administration of the said estate. Ordered that the said Jonathan English be and he is hereby discharged from any further or future care or liability as administrator

John Pains Guardian
of his own Children

Ordered that a citation ispue ispue against the said guardian returnable to the next term of this Court. directed to the Sheriff of Hendricks County. Commanding him to cite the said guardian to appear on the first day of the next term and report the amount of Money or other effects in his hands belonging to his said wards And further proceedings herein are Continued

And Court adjourned until Tomorrow Morning Nine Oclock

Signed November the 14th 1839

James McClure

November Term 1839

Thursday Morning Nine Oclock November the Fourteenth in the year Eighteen Hundred and thirty Nine.

Court in Session pursuant to adjournment

Present the same as yesterday

Solomon Blair Guardian
of the heirs of Caleb Lowder

Ordered that a citation ispue against said guardian, returnable to the next term requiring the said Solomon Blair guardian as aforesaid to appear on the first day of the next term of this Court and then report the amount of Money or other effects in his hands belonging to said heirs And further proceedings herein are Continued

William Cosner Guardian
of Samuna Pearson

It is Ordered that a citation ispue against said guardian, Notifying and requiring him to appear on the first day of the next term and report the amount of Money or other effects in his hands belonging to his said ward And further proceedings herein are Continued

Samuel Charles Guardian
of Children of John Charles

It is ordered that a citation ispue against the said guardian directed to the Sheriff of Wayne County Commanding him to summons the said Guardian to appear on the first day of the next term of this Court and report and shew the condition of the estates of his wards. And further proceedings herein are Continued

November Term 1839

Joel Osborn guardian
of the heirs of Matthew Osborn

It is Ordered that a citation
ipsue against the said guardian requiring them to appear
and report the Condition of the heirs estates of his
on the first day of next term
said wards. And further proceedings therein
are Continued.

Stephen A. Linsley Guardian
of his own Children

It is Ordred that a citation ipsue
directed to the Sheriff of Morgan County Comman
ding him to Summon the said guardian to
appear and report the Condition of the estates of
his wards. And also to then give other security
for his said guardianship And further proce
edings therein are Continued.

Thomas Veach Guardian
of the heirs of Benjamin Veach

Ordred that a citation
ipsue requiring said guardian to appear and report
the Condition of the estates of his said wards
on the first day of the next term of this Court. And
further proceedings therein are continued

Harmon Hiatt Guardian
of Wright McCormick's heirs

It is Ordred that a citation
ipsue requiring said guardian to appear and report on
the first day of the next term of this Court the condition
of the estates of his wards And further proceedings
therein are Continued

November Term 1839

John Master's
Estate

It is ordered that a citation ipsue
against Lewis Master administrator of said estate
requiring them to appear on the first day of the next
term of this Court and settle and adjust the affairs of
the same, or Shew some sufficient cause why the said
estate cannot be settled And further proceedings therein
are Continued

Simeon R. Payne's
Estate

Ordred that a citation ipsue against Edward
Strange administrator of said estate requiring him to appear
on the first day of the next term of this Court and settle
up said estate or Shew some good and sufficient cause
why the same shall not be settled. And further proceedings
therein are continued

Samuel Jones Jr Executor
of Samuel Jones Sen.

It is Ordered that a citation ipsue
against said executor requiring him to appear at the
next term and Shew the Condition of said estate
and further proceedings therein are continued

Aaron Harding guardian
of Martha Ann Skinner

It is ordered that said
guardian be Cited to appear on the first day of the next
term of this Court and report the amount of Money in
his hands or other effects belonging to his said ward
and what disposition has been made of the same &
And further proceedings therein are Continued

James Dorrard guardian
of the heirs of Ransom Carlew

It is ordered that a citation
issue against said guardian requiring them to appear
and report the condition of the estates of his said
wards. And further proceedings therein are continued

Lewis Owen
ats
Hudson McVay &
Joel Nelson Executors of
Absalom B. Vorduer

Debt

Comes now the plaintiff by Nave
his attorney and the said defendants by Brenton
their attorney Come also and move the Court to
dismiss this suit for the want of a sufficient cause
of action, which Motion is overruled by the Court
and thereupon the defendants file their plea of the
general issue, and also their plea of Nenunques
executors & administrator. And thereupon the plaintiff asks
leave of the Court to withdraw the papers therein
filed by them which is granted upon the payment
of the costs of this proceeding It is therefore
Considered that the defendants recover against
the plaintiff their costs and charges therein laid
out and expended taxed at dollars
and cents

Edmund Coopers
Estate

Comes now the said Samuel McClelland
administrator files vouchers numbered from one to Eleven
both inclusive, amounting to the sum of $63.33 and also
receipts numbered from one to five for money paid to the
heirs of said estate amounting to the sum of $17.50 and
also produces and files five notes, executed by five of the
heirs of said estate amounting to the sum of $29.84½ and
also produces & files the receipt of James S. Odell Esqr for a note
on William Johnson & Homer Johnson received by the
Odell for collection amounting to the sum of $16.12½
All of which said vouchers, receipts and notes when added toge
=ther make the sum of $156.80 and which are exam
=ined and allowed by the Court. And ordered to be placed
to the credit of said administration, And the said Samuel
McClelland now pays hereunto Court the sum of
$81.25 in cash which being added to the said
sum of $156.80 makes the sum of $238.06 which
covers the whole amount with which said administrator
stand charged, and fully settles up the business of said
estate Ordered that the said administrator and ad=
ministratrix be discharged from any future liability or
care of said estate

Hours And Court adjourned until tomorrow
morning nine Oclock

Signed November the fifteenth in the year
Eighteen Hundred and thirty nine
James McClure

Levi F. Varntz's
Estate

Comes now Jeremiah Defauw Administrators of said estate and files an Inventory and Sale Bill of the estate which are ordered to be recorded And further proceedings are continued

James E. Jones's
Estate

Comes now Daniel D. Hamilton and files an Inventary and Sale Bill of said estate which are Ordered to be recorded and further proceedings herein are Continued.

Wesley McKinley's
Estate

Comes now Andrus B. Shallady and files an Inventory of said estate which is ordered to be recorded and further proceedings herein are Continued

William King's
Estate

Comes now the said administrators and file an Inventary of said estate which is Ordered to be recorded.

William Wiley's
Estate

Comes now the administrators of said estate and files an Inventory therein which is Ordered to be recorded.

Jesse Linder's
Estate

Comes now the said Administratrix and files the a Sale Bill of said estate which is Ordered to be recorded, and further proceedings therein are continued

John Thompson's
Estate

Comes now Samuel Parker administrator of said estate and files his Memorial in the words and figures following Towit (insert) And also the following Inventory and appraisement of the South half of the East half of the South West quarter of Section Seventeen in Township fifteen North of Range one East containing forty acres Towit (insert) Wherefore it is On Motion of the said administrator Ordered that a citation issue directed to the Sheriff of Hendricks County Commanding him to Summons Elizabeth Thompson widow of the deceased, Polly Wiley formerly Thompson, Elizabeth Thompson, Margaret Thompson, George Thompson & John Thompson heirs of said estate and also a Citation to the Sheriff of Lawrence County Commanding him to Summons John Woody minor Son of James and Anna Woody, formerly Anna Thompson, (James Woody) deceased, and Polly Wiley formerly Thompson to appear on the first day of the next term of this Court and Show Cause if any they can why the aforesaid real estate shall not be sold and made assets in the hands of said Administrator for the payment of the debts aforesaid, And the said Samuel Park Administrator as aforesaid now files his bond with security which is approved by the Court And further proceedings herein are Continued.

Heirs of the Estate of Edmund Cooper } Distribution of estate

Comes Now Robert Cooper Martin Cooper, Lewis Cooper, Samuel McClelland and William Herron, who identify themselves to be the part of the Heirs of said estate, and file their petition praying the Court to Order the amount of Money to which they are entitled as Heirs of said estate to be paid over to them And the aforesaid Heirs are now by the Court examined under Oath Concerning advancements made to them by the deceased in his lifetime, And severally declare on oath that they never received any thing from the said deceased by way of advancement. Wherefore It is Ordered that the Clerk of this Court pay over to said Heirs their several portions by their filing their bonds for the refunding the same on the discovery of any unknown Heir or Creditor. And Now the sum of Twelve dollars and Ninety four cents is paid to each of the aforesaid Heirs, that being the full amount to which they are entitled And they file their bonds agreeably to the above Order

And Court adjourned until tomorrow Morning Eight Oclock

Signed November the Fifteenth in the year Eighteen hundred and thirty Nine James McClure

Saturday Morning Eight Oclock November the Sixteenth in the year Eighteen hundred and thirty Nine

Court in Session pursuant to adjournment Present the Same as yesterday.

Reuben Richards's Estate

Comes Now Susan Richards and John Baker and file and prove the last will and testament of the said Reuben Richards deceased, by the oath of William Herron one of the Subscribing witnesses to said will, and thereupon letters Testamentary are granted to the said Susan Richards and John Baker who are duly Sworn and file their bond with Security. Which is approved by the Court.

Lewis Corum vs Joel Nelson & Hudson M'Kay Executors of Absalom D. Gardner } Debt

Comes now the plaintiff by Nave his attorney. And files his declaration. and the defendants by Preston their attorney came also and waive all error for the want of process and Service thereof and pray Oyer of the writing obligatory mentioned in the plaintiffs said declaration. Which is read to them in these words (Copy) And thereupon they file their two pleas of fraud as follows (Copy) ~~And the plaintiff files replication as follows (Copy)~~ And the plaintiff now moves the Court to render Judgment in his favor for the amount of the said writing obligatory and the interest thereon, because the pleas do not answer the declaration. Which motion is overruled and the Court

and thereupon the plaintiff files his replications as follows Doth refuse to render Judgment. And by the agreement of the parties this cause is submitted to the determination of the Court upon the issues aforesaid. And the trial of the issues aforesaid are as will with the agent of the plaintiff as the defendants Continued until the next term of this Court

John Rosen's
Estate

Came Wm Gash Executor of said estate and files vouchers against said estate Numbered from one to 6 both inclusive. Amounting to the sum of $157.68 which are examined and allowed by the Court and Ordered to be placed to the credit of said Administrator. And further proceedings therein are Continued

And Court adjourned

Signed November the Sixteenth in the year Eighteen Hundred and thirty Nine James McClure

Vacation Entry

Be it remembered that on this 23rd day of November 1839 letters of Administration on the estate of William M. Hamer late of Hendricks County dec'd were granted & issued unto John Cash and William H Cash. by the undersigned Clerk of the Probate Court of said County. They having first produced and filed the renunciation of Sarah Hamer widow of said dec'd And the said John and William are now duly sworn as such administrators.

Attest J. M. Gregg Clk

Be it remembered that on this 8th day of February 1840 Letters testamentary on the estate of Isaac Taylor is issued and granted by the undersigned Clerk of the Probate Court to Mary Taylor widow of the said Isaac Taylor dec'd She having first proved the last will and testament of the said dec'd according to law. And the said Mary is now duly sworn as such Executrix, and files her bond with security which is deemed good and sufficient

Attest J. M. Gregg Clk

February Term 1840

At a term of the Hendricks Probate Court begun and held at the Court House in Danville on Monday the tenth day of February in the year of Our Lord One Thousand Eight hundred and Forty

Present

The Honorable James McClure Sole Judge of said Court

Ordered that the following rules be and they are hereby addopted for the government of this Court Towit

1st. The names of parties must be entered on the Court dockets and order book without abbreviation.

2nd. No paper will be received on file, in a cause until the title of the cause touching it belongs, And the character of the paper be endorsed thereon

3rd. The Estates and Causes on the docket at any Term must be numbered, and when referred To, the number must make a part of such reference

4th. The party upon whom for the time being it is incumbent to plead is entitled to the papers. During a trial the parties are equally entitled thereto.

5th. If a party desire the papers at any time other than above Specified, he may attain the same by application to the Court

6th. The Estates and Causes, as entered upon the docket will be called as entered, And if there is no appearance the same will be deposed of for the Term

7th. Parties are to be called at the bar unless otherwise ordered

8th. Motions may be made on the morning of any Days, at the calling of the Consist for that purpose, or in relation to a cause when the same is called

9th. Agreements of parties in reference to a cause must be in writing or verbally stated in the presence of the Court And when so made will be promptly enforced

10th " Bills, Pleas, answers and special replications in Chancery must have a left hand margin not less than one and a half inches wide, and the pages, and lines numbered. References thereto must state the page and line containing the matter referred to.

11th " No litigated Chancery cause will be received on submission without a brief or abstract of points or facts relied on.

12th " The party making a motion or an objection in the nature of a motion will be heard in argument by one counsel. If the Court do not thereupon overrule the motion or objection, the opposite party will be heard by one or two counsel, and the mover or objector will be heard in reply, unless the discretion will be altered

13th " Upon the final hearing each party will be heard by one counsel. And in cases of importance & difficulty the parties will be heard according to their pleasure And the discretion of the Court. The party upon whom the onus lies is entitled to open and close the argument.

14th " Harsh and discourteous language, unfriendly altercations, satirical and personal allusion to the conduct and motives of others, prove nothing convinces no one, tend to no profitable result, and are out of place in Court. Parties or their counsel indulging in any of those things will be held to be in contempt.

15th " Counsel using disrespectful language to the Court and not withdrawing the same, after time for reflection will be prohibited from practicing in this Court during the pleasure thereof.

16th " When any administrator, executor or guardian shall file his vouchers for final settlement of the estate, when of he has been administrator executor or guardian, he shall file therewith, an account current, drawn in a fair hand in which after debiting himself with all assets that may have come to his hands, there shall be stated on the credit side of the account, First all costs of administration last sickness, and funeral expenses, Amount received by the widow of property at its appraised value, And such debts due the estate as having been charged to the administrator or executor are not capable of being collected Secondly all payments made upon Mortgages or Judgments that operated as a lien on the estate of the decedent. And lastly payments made upon every other account to the creditors of the estate. And each of the above classes of items shall form a separate aggregate and the vouchers in support of each item shall be numbered and referred to corresponding numbers on the account current

17th " When ever any estate shall be considered insolvent the administrator or executor shall immediately after the expiration of one year from the granting of letters of administration make out and present to the Court a Schedule of the assets that may be available to the credit of such estate And showing as far as can be ascertained, the amount of Debts chargable upon the estate, that a dividend may be struck

18th " Upon application by an executor or administrator for an extension ~~for~~ of the time for making final settlement, such application shall be in writing and filed with the Clerk, and shall set forth the facts and reasons upon which such application is made. And unless reasonable diligence shall have been used in collecting and paying debts and in settling the concerns of the estate the application will not be granted

19th " That administrators executors and guardians in making out their accounts, for the approbation of the Court (as required by rule 16) shall state the time of each receipt of money and also the time of each payment,

20th " The Clerk shall attach a copy of rules 6. 16. 17. 18 and 19 to all administration and testamentary letters for which he may charge the Estate the same fees as allowed him for similar services

James L McClure

February Term 1840

Heirs of the Estate of
Robert McCracken
Thomas L. Matlock Guardian

Ordered that a Citation issue against said guardian directed to the Sheriff of Hendricks County, Commanding him to Summons the said guardian to personally be and appear in this Court on the first day of the next term and then report the Condition of the estates of his wards

Heirs of the estate of
Caleb Garrett
Samuel McPheeters Guardian

Ordered that said Guardian be cited to appear to appear at the next term of this Court and report the condition of his said guardianship

Enoch Davis Guardian
of Nancy Jane Moorland

Ordered that said guardian be cited to appear and report the condition of the estate of his said ward at the next term of this Court

Samuel C. Mitchell Guardian
of Ambrose L. Gregory

Ordered that said guardian be cited to appear and report to this Court the Condition of the estate of his said ward at the next term

William Pennington's
Estate

Ordered that Barshaba Pennington administratrix of said estate be cited to appear and report at the next term of this Court the condition of said estate

Richard Askner
Guardian

Came now the said guardian and makes and files the following report Towit, (viz:) which is inspected, allowed and confirmed by the Court And it is Ordered that the said guardian be charged with the said Sums of $113.44 mentioned in the said report. And that he receive a credit for the Several Sums paid out by him and mentioned in the said report. And the said guardian in support of the Statement of payment in said report of $77.87 to his said ward now files the following receipt Towit. which together with the payment of the Clerks fee covers the Amount with which he stands Charged, and Closes the final Settlement of his said guardianship

And Court adjourned until tomorrow morning nine Oclock

Signed February the Eleventh Eighteen hundred and forty

James McClure

February Term 1810

Tuesday (Morning February the Eleventh in the year Eighteen hundred and forty) Court in Session pursuant to adjournment Present the same as yesterday

Daniel D. Hambleton administrator of the estate of James C. Jones dec'd

vs

Sarah Jones, William W. Jones Juliana F. Jones, Eliza A. Jones and Darien Jones Heirs of the estate

Petition for the sale of Land

Comes now the said administrator and files the following Memorial, Inventory and appraisement Towit (insert) Whereupon it is ordered that a Summons issue directed to the Sheriff of Hendricks County Commanding Him to Summons the above named Heirs to personally be and appear in this Court on the first day of the next term, and shew cause if any they have why the said tract of Land shall not be sold and made assets in the hands of said administrator for the payment of the debts aforesaid. And further proceedings Herein are Continued

Harman Hiatt Guardian of the Heirs of Wright McCormick

Comes now said guardian and files the following report towit whereby it appears that on the 11th November 1837 he received into his hands as such guardian the sum of One hundred and five dollars thirty seven and a half cents, which is at interest at ten per cent and further proceedings Herein are Continued.

Harmon Hiatt Guardian of Jonathan Pepper's Heirs

Comes now the said Guardian and files the following report, towit, (insert) And further proceedings Herein are Continued

William Cosner Guardian of Lamina Beason

Comes now the said Guardian and files the following report (insert it) and further proceedings Herein are Continued

Pepe Reagan's Estate

Comes now Reason Reagan Admr. and files the following Inventory towit which is ordered to be recorded and further proceedings Herein are Continued.

Reason Reagan Guardian of John & Cary Reagan

Comes now the said guardian and files the following report, Whereby it appears that on the 1st of January 1840 he received One Hundred and ten $110.00 of Money belonging to the said Cary which is bound at ten per cent and further proceedings are Continued

February Term 1840

James Downard Guardian
of the Heirs of Ransom Carlew

Comes now said guardian and makes and files the following report Towit Shewing that he has now in his hands the sum of One hundred and nine dollars and fifty five cts at ten per cent interest. and further proceedings herein are continued

Thomas Veach Guardian
of Benjamin Veach's Heirs

Comes now said guardian and makes and files the following report towit, Whereby it appears that he has received into his hands the sum of One hundred and twenty two dollars of Money belonging to his said wards. And further proceedings herein are continued.

John Montague's
Estate

Comes now Henry C. Perry administrator of said estate and files the following report, And the premises being seen and understood It is Ordered and adjudged by the court that the Sale of the Land so made as aforesaid by the said administrator be in all things confirmed. And on motion to the court and with the assent of the said administrator Simon T. Hadley is appointed a Commissioner to make execute and deliver the said purchaser for the Land aforesaid, on the payment of the full amount of the purchase money a good and sufficient deed of Conveyance. And it is Ordered the said administrator deliver over to the said Hadley the purchasers obligations for the payment of the purchase money. Which is now done accordingly and this estate is continued

Samuel Carter Administrator
of the estate of Robert Carter dec.d
vs
The Creditors of the said
Robert Carter dec.d
} Complaint of Insolvency

Comes now the said administrator and files his Memorial (insert) Shewing the condition of said estate, and Complaining that the property of said estate is insufficient to pay the debts and demands outstanding against it. It is therefore Ordered that the filing and pendency of said Complaint, be made known to the Creditors of the said deceased by a publication of this order for six weeks successively in the Indiana Journal, a weekly newspaper printed and published at Indianapolis in Marion County; and that they be informed that unless they notify the said administrator of the existance and extent of their respective Claims, by filing the same, or a Statement of the nature, date and discription of the Contract or Assumpsit upon which the same may be founded, in the office of the Clerk of this Court, previous to the final distributions of the assets of the estate of the said deedant, such Claims will be postponed infavor of the Claims of more diligent Creditors. And this estate is Continued

Abijah D Garrison's
Estate

Comes now the said administrator and files the following report, and pays into Court the sum of fifty dollars. And this estate is Continued

William Cox's
Estate

Comes now the Executors Administrators, and Johan M. Julian who heretofore filed as a claim against said estate, & by their agreement submit the claim of the said Julian to the Court upon the confession and statement of said Executors which being heard and understood by the Court, It is considered by the Court that the said estate is justly indebted to the said Julian in the sum of Eleven dollars and Seventy five cents. Wherefore it is considered that the said Johan M. Julian recover of the said Executors the said sum of Eleven Dollars & Seventy five cents besides his Costs therein laid out and expended taxed at dollars and cents to be levied of the assets in the hands of said executors.

Recorded

David Fox's
Estate

Comes now Thomas Higgins Administrator of said estate and files the following additional Inventory & Sale Bill. which are ordered to be recorded And this estate is Continued

Samuel Cone's
Estate

Comes now Samuel Cone Jr Executor and files the following & Sale Bill, also the following additional Inventory which are ordered to be recorded, and this estate is Continued

William Glover's
Estate

Comes now James Glover Administrator and files the following report And this estate is continued

Absolam D Gardener's
Estate

Comes now Hudson McVay Executor and files the following report And the final settlement of this estate is postponed until the next term

And Court adjourned until tomorrow morning Nine O'clock

Signed February the 12th A D 1840
James McClure

February Term 1840

Wednesday Morning Nine O'clock February the twelfth Eighteen Hundred and forty.

Court in Session pursuant to adjournment Present the same as yesterday

Jesse Linder's Estate

Came now Fanny Linder administratrix of said estate and files the following Statement of her proceedings in the said estate (viz) It appears that she is charged with the sum of One Hundred and Seventy dollars and Nine Cents. And the said administratrix now produces the vouchers mentioned and described in the above Statement and pays into Court the sum of Nineteen dollars and eighty three cents, which with the vouchers aforesaid fully Covers the whole amount with which she stands Charged and finally Closes and Settles the business of the estate

Solomon Blair Guardian

Came now the said guardian and files the following report (viz) and also produces and files the vouchers mentioned in the above report, which leaves in the hands of said Guardian the sum of Seventy two dollars and Eighty two cents. And further proceedings herein are Continued.

James Campbell's Estate

Came now Jeremiah Hadley and files the renunciation of Catherine Campbell widow of James Campbell late of the County of Hendricks, deceased, whereby the said Catherine relinquishes her right to letters of administration on the estate of her late husband, and thereupon the Court appoints the said Jeremiah Hadley to administer on the estate of the said dec.d. And the said Jeremiah now files his bond with Security which is deemed good and Sufficient and is Sworn as such administrator

Simon S. Hadley Guardian of Matthew Osborn's Heirs

On the petition of Jane Osborn widow of the deceased, Simon S. Hadley is appointed guardian of the estates of Esther Osborn, Anna Osborn, and Mary Ann Osborn, infants under the age of fourteen years. And Ira B. Osborn, Elijah Osborn and Lydia J. Osborn, infant heirs of the estate of the said Mathew, over the age of fourteen years, Came now here into Court, and being by the Court permitted to choose a guardian of their estates, do Choose and Select the said Simon S. Hadley, which Choice and Selection is approved by the Court, and the said Hadley now files his bond with Security which is approved and is duly Sworn as such guardian

Thomas Gilleland's
Estate

Comes now the said administratrix by Brenton her attorney, and on his motion, to the Court Henry H Marvin Esquire is appointed guardian ad litem for the said Minor Heirs George N. Joseph W. John S. Martha and Elizabeth to answer the Memorial aforesaid. And now comes here into Court the said infants by their said guardian ad litem and file their several answers herein as follows, insert. Whereupon It is Ordered adjudged and decreed that the said tract of Land mentioned and described in the said Memorial towit the North half of the North West quarter of Section four in Township fourteen North of Range one West containing fifty eight Acres. be Sold on a credit of Six and Eighteen Months (equal payments) and that the proceeds thereof be applied for the purposes mentioned in said Memorial or So much thereof as is necessary. And on Motion to the Court Simon T. Hadley is appointed a Commissioner to Sell and Convey the Land aforesaid, and report his proceedings herein to the next term of this Court. And it is further Ordered that the said Hadley before offering the said Land for sale, give the same Notice of the time, and place of Sale that is required for the sale of Land upon execution. And that upon the full payment of the purchase Money that the said Simon T. Hadley make, execute and deliver to the purchaser a deed of Conveyance for the Land aforesaid. And that he deposit the avails of the sail in this Court And further proceedings herein are Continued

Thomas P. Prigg's
Estate

Comes now the Executors and file the following Inventory and Sale bill which are Ordered to be recorded And this estate is Continued

Simon T. Hadley Guardian
of David McDaniel's Heirs

Comes now Nancy McDaniel widow of the said David McDaniel deceased and files her petition praying the appointment of a guardian to take Charge of the estates of Synthia McDaniel, Thebe McDaniel, Lydia McDaniel, David McDaniel and Anderson McDaniel infants under the age of fourteen years, Whereupon Simon T. Hadley is appointed such guardian, And now Comes here into open Court Susanna McDaniel Nancy McDaniel, Martha McDaniel and William McDaniel infant Heirs of the estate of the deceased who are over the age of fourteen years, and file their petition praying permission to Choose a guardian for the protection of their estates, which is granted, and thereupon they Choose and Select Simon T. Hadley, which Choice is approved by the Court, and the said Simon T. Hadley is appointed accordingly. And now Comes the said Simon T. Hadley and files his bond with Security which is approved by the Court and is Sworn as such guardian.

And Court adjourned until to morrow morning half after nine oclock Signed February the thirteenth, Eighteen hundred and forty

Spencer McClure

February Term 1840

Thursday Morning 1st February the Thirteenth in the year Eighteen Hundred and forty

Court in Session pursuant to adjournment Present the same as yesterday.

Ezra Cox's Estate

Came now Charles Reynolds Executor as aforesaid, and the said Enoch Jessup personally Came also, and says for himself and wife Suzanna, that they have no cause, nor can they Shew any why the Land aforesaid Shall not be Sold as prayed for by the said executor, and pursuant to the provisions of the said last will and testament of the said Ezra Cox. Wherefore it is Ordered adjudged and decreed that the Lands aforesaid be Sold by the said executor according to the provisions of the said will and for the purposes therein mentioned on the following terms Court, One fourth part of the purchase Money to be paid down, and the residue in two equal, annual payments of One and two years. And it is further ordered that the said executor previous to offering said Lands for sale give at least Twenty days notice of the time and place of sale by written advertisements put up in at least three of the most public places in the vicinity of said Land. And also by publication in the Indiana Journal, a Newspaper of general Circulation printed and published in Indianapolis. And that the said executor take from the purchasor, his obligations for the payment of the purchase Money, with good and sufficient Security. And that the executor

on the payment of the full amount of the purchase Money this they, & upon the Make, execute, acknowledge and deliver to the said purchasers a good and sufficient deed of Conveyance in fee simple for and to the Land aforesaid. And it is further Ordered that the said executor Make report of his proceedings herein at the next term of this Court. And further proceedings herein are Continued

Elijah Anderson Guardian of Margaret Jane Hamm } Sale of Real estate

Came now Simon T. Hadley the Commissioner heretofore appointed to Make Sale of said tract of Land and Makes and files the following report to wit (insert.) And the premises being seen and inspected, and the Court being Sufficiently advised in the Matter do Set aside the Sale so made as aforesaid, And it is Ordered that the Note mentioned in said report be returned to the said Simon T. Hadley. And on Motion of the said guardian by Mayer his attorney, It is Ordered that the said Simon T. Hadley be and he hereby is Authorised to Sell the said tract of Land at any time within one year from this time, upon the same terms and Conditions prescribed by the Order and decree at the last term And further proceedings herein are Continued.

Ann B. Faulkner Guardian

Came now Ann B. Faulkner and files the following petition, (insert) Whereupon the said Ann B. Faulkner is appointed such guardian, and

the said Ann B. Faulkner now files her bond with Security which is deed good and sufficient, and is sworn as such guardian

And Court adjourned until Nine Oclock tomorrow Morning

Signed Febuary the Fourteenth Eighteen hundred and forty

Lanier McClure

February Term A D 1840

Friday Morning Nine Oclock February the Fourteenth Eighteen hundred and forty

Court in Sesion pursuant to adjournment

Present the same as yesterday

William M. Hamer's Estate

The Clerk of this Court having in vacation granted and issued Letters of Administration on the estate of William M. Hamer dec'd to John Cash and William A Cash, And the proceedings of the Clerk in the matter being examined by the Court It is considered that acts of the Clerk in vacation, in reference to said estate be in all things confirmed, And the said administrators present to the Court the following Inventory and Sale bill which are ordered to be recorded

Isaac Taylor's Estate

Letters testamentary of the estate of Isaac Taylor late of Hendricks County dec'd having been granted and issued by the Clerk of this Court in vacation to Mary Taylor, and the granting and issuing thereof being inspected by the Court, It is Considered that the proceedings of the Clerk in the premises be in all things Confirmed And further proceedings therein are continued

Daniel Boatwright's Estate

It is Ordered that Samuel C Tyler administrator of said estate be Cited to appear at the next term of this Court and report his proceedings in said estate. And further proceedings therein are continued

February Term 1840

Recorded

Elizabeth Swarts by
Ezra Kinsbaw her Guardian
vs
Harman Cox &
John Airy Ex^rs
} Assumpsit

Came the parties and by their agreement this cause is Continued

Benjamin Crabb
vs
Rasel Sout Guardian
} /

Came now the parties and by their agreement this cause is Continued

Lewis Crum
vs
Joel Nelson &
Hudson M^cVay Ex^r
} Debt

Come the parties and by their agreement this cause is Continued.

State of Indiana on the relation of the Overseers of the Poor of Liberty Township
vs
Jesse Stanton
} Complaint

Came now Jeremiah Prather Overseer of the Poor of Liberty Township and files the following Bill of charges against the said Stanton and thereupon Came the said Jesse Stanton and files his plea of the general issue, and upon the issue herein Joined and the testimony this matter of Controversy is Submitted to the Court. which being heard and

understood by the Court, it is Considered that the said Jesse Stanton is guilty of the negligence and inhuman Conduct with which he stands charged. Whereforce it is Ordered that the Overseers of the poor in the said Township of Liberty, take and bind out as Apprentices according to the provisions of the poor Law, all the infant Children of the said Jesse Stanton that may be found in said Township. And it is further Considered that the State of Indiana on the relation and Complaint of the said Overseers recover against the said Jesse Stanton the Costs of this proceedings taxed at dollars and cents. And the said Jesse Stanton in mercy &c

Recorded

George Sick's
Estate

The Inventory and Sale Bill heretofore taken and filed in the Clerks office by the said Administratrix are now presented, and inspected by the Court and Ordered to be recorded, and which are in form following (viz:) And this estate is Continued

Recorded

John Pickell's
Estate

The Inventory and Sale Bill taken by the said Administrator and heretofore filed in the office of the Clerk of this Court, are heretofore now presented to the Court inspected and Ordered to be recorded. And further proceedings in this estate are continued.

William King's
Estate. The following Inventory and Sale Bill taken by the administrators and thereto for filed in the office of the Clerk of this Court are now presented to the Court, inspected, and Ordered to be record to wit (insert) and this estate is continued

William M. Hamer's
Estate

The Inventory and Sale bill taken by the administrators in this estate, and thereto fore filed in the Clerks office of this Court, are now presented to the Court, examined and Ordered to be recorded and this estate is continued.

George Hedrick's
Estate

Comes now William Kelly and files the following partition to wit, Whereupon the said William Kelly is appointed administrator of the estate of the said George Hedrick deceased and the said William Kelly now files his bond with Security which is deemed good and Sufficient, and the said William Kelly is duly Sworn as Such administrator

And Court adjourned

Signed February the Fourteenth Eighteen hundred and forty

Parris McClure

Vacation Entry

Be it remembard that on this the fourth day of May in the year 1840 John Safenight filed in the Clerks office of the Probate Court of Hendricks County, Indiana, the renunciation of the widows of Jepe Safenight to Letters of administration on the estate of the said Jepe Safenight, late of said County, deceased (insert) The said John Safenight also filed his bond with Security; And thereupon Letters of administration were by me, the undersigned, Clerk of said Court, granted and ispued unto the said John Safenight on the estate of the said Jepe Safenight, deceased as aforesaid. And the said John was by me duly qualified as such Administrator

Attest. J. M. Gregg clerk

Be it remembered that on this 17th day of February 1840 Elizabeth Florence filed in the Clerks office of the Hendricks Probate Court the last Will and testament of William Florence, late of the County of Hendricks and State of Indiana, deceased, which said Will is duly proved by George Hartman and Samuel Grimes, two of the Subscribing witnesses thereto; Whereupon Letters testamentary are granted and ispued by me the undersigned Clerk of the said Court, unto the said Elizabeth Florence, the Executrix named in and by said Will, she having first filed her Bond with Security according to law; And the said Elizabeth is now by me duly Sworn as such Executrix

Attest, J. M. Gregg clerk

Be it remembered that on this 5th day of March 1840 Harmon Hiatt and Elizabeth Hannah filed in the Clerks office of the Hendricks Probate Court, the last Will and testament of John Hannah late of the County of Hendricks and State of Indiana, deceased; which said Will is duly proved by the oaths of Robert Cooper & Benjamin Hiatt the Subscribing witnesses thereto: Whereupon

Letters Testamentary are by me the undersigned Clerk of the Probate Court of said County granted and issued unto the said Harmon Hiatt and Elizabeth Hannah the Executors named in and by said Will on the estate of the said John Hannah deceased as aforesaid they having first filed their bond with security according to law as such Executors And the said Harmon and the said Elizabeth are now here by me duly qualified as such Executors.

Attest J. M. Gregg clerk

Be it remembered that on this 28th day of March 1840 Letters testamentary were by me the undersigned Clerk of the Hendricks Probate Court granted and issued unto William Pearson on the estate of Thomas Fitzsimmons late of the County of Hendricks and State of Indiana deceased, he the said William Pearson having first filed and proved the last Will and testament of the said Thomas Fitzsimmons by the oath of Harmon Brittain one of the subscribing witnesses to said Will And also his bond with security and the said William Pearson is now here by me duly as Executor of said estate

Attest, J. M. Gregg clerk

Be it remembered that on this 15th day of April 1840 Letters testamentary on the estate of William Blanton late of the County of Hendricks and State of Indiana deceased are by me the undersigned Clerk of the Probate Court of said County, granted and issued unto Edward Strange the Executor named in and by the last Will and testament of the said William Blanton the said Strange previous to said grant having filed said Will in my office and duly proved the same by the oath of James W. Shannon one of the subscribing witnesses thereto And having also filed his bond with Security And the said Edward Strange is now by me duly Sworn as such Executor

Attest J. M. Gregg Clerk

Be it remembered that on this 16th day of April 1840 Letters of of administration on the estate of Joseph Waddle late of the County of Hendricks and State of Indiana deceased are granted and issued unto Juliann Waddle the widow of the said Joseph Waddle, She having first filed her bond with Security as Administratrix of said estate And the said Juliann is now here by me duly Sworn as such Administratrix.

Attest J. M. Gregg clerk

At a term of the Kendricks Probate Court begun and held at the Court House in Danville on Monday the Eleventh day of May in the year of Our Lord one Thousand Eight Hundred and forty

Present the

Honorable James McClure Judge of said Court

John Smith's
Estate

Comes now Hugh L. Smith administrator of said Estate, and on his Motion this estate is Continued

William Haught Guardian
of Elizabeth L. Stevenson

Ordered that a Citation issue against the said guardian, requiring him to appear on the first day of the next Term of this Court and report the Condition of the estate of his said ward

Robert Gossetts
Estate

Comes now the said Administrators by their attorney and on his Motion this estate is Continued.

John Thompson's
Estate

} application for sale of real Estate

Comes now Samuel B. Parkes administrator of said Estate by their attorney, and the defendants, the said Elizabeth Thompson widow of said deceased and Polly Wiley, Elizabeth Thompson, Margaret Thompson, George Thompson, John Thompson, John Woody and James Woody heirs of said estate. And

because the said heirs neglect and refuse to plead answer or demurr to the said Memorial of the administrator, the matters and things therein charged and set forth are taken and held to be true. Whereupon it is Ordered adjudged and decreed that the Land Mentioned and described in the said Memorial Viz: the said South half of the East half of South West quarter of Section Seventeen in Township fifteen North of Range one East be Sold on a credit of six Months, and that Silvion S. Hadley be appointed a Commissioner to sell said Land And that previous to offering the same for sale the said ~~Administrator~~ Commissioner give the same notice of the time and place of Sale that is required for the sale of real estate upon execution, and that he take from the purchaser bond with good and sufficient Security for the payment of the purchase Money, giving at the same time to the purchaser a Certificate of purchase, which Sale and purchase is and shall be subject to the Confirmation or rejection of the Court And it is Ordered that said ~~Administrator~~ Commissioner do report his proceedings in the premises to the next term of this Court. And proceedings therein are Continued

Ransom Carlew's
Estate

On Motion of Nave attorney for the Administratrix this estate is Continued

Patsey Wilson's
Estate

Comes now the Executor by Nave his attorney and on his Motion this estate is Continued

John Leach's
Estate

Comes the administrator by Nave his attorney and on his Motion this Cause is Continued

Enoch Barlow's
Estate

On motion to the Court by Marvin Attorney for some of the Creditors of said estate it is Ordered that a Citation issue against said administrators requiring them to appear at the next term and settle the estate or shew some sufficient reason why the same can not be settled And further proceedings herein are Continued.

Samuel C. Mitchell
Guardian

Comes now the said Samuel C Mitchell Guardian as aforesaid and suggests the death of his said ward, the said Ambrose Pleugon

Elizabith Florence widow of William Florence decand a pensioner of the revolution } Application for a pension

At this time comes the said Elizabith Florance widow of William Florance deceased and makes and produces to the Court satisfactory evidence that William Florance was a pensioner of the United States at the rate of Eighty dollars per annum payable semi annually and was a resident of the County of Hendricks in the State of Indiana, and that he died in the said County and State aforesaid on the 28th day of January 1840 and that he left at the time of his death his wife Elizabith Florance and who is yet living in the County and State aforesaid

Amos L. Wells Guardian
of William Green

Comes now the said William Green a Minor over the age of fourteen years and files his petition praying for permission to Choose a guardian of his person. And being admitted to Choose he comes now Selects and Choses Amos L. Wells as such guardian, which Selection and Choice is approved by the Court and the said Amos L. Wells is accordingly appointed such guardian of the person of the said William Green, And the said Amos L. Wells now files his bond and is sworn in open Court as such guardian

Samuel C. Tyler
Guardian

Comes Now Ambrose Boatright a minor over the age of fourteen years and files his petition praying for permission to Choose a guardian of his person and estate and being permitted so to do, Now Selects and Choses Samuel C. Tyler, which Selection is approved by the Court and the said Samuel C. Tyler is accordingly appointed such guardian. And the said Samuel C. Tyler Now files his petition shewing that Mary Boatright, William Boatright, Daniel Boatright and Benjamin Boatright are infants under the age of fourteen years, and that they have no guardian of the persons or estates, and praying the Court to appoint a guardian for the said infants. Whereupon the said Samuel C. Tyler is appointed such guardian, And now comes the said Samuel C. Tyler and files his bond with security which is approved by the Court and is sworn as such guardian

Charles Reynolds Executor of Ezra Cox's Estate } Sale of Real Estate

Came now said Executor and files the following Inventory and Sale bill, and also the following report, And the proceedings of the said Executor being inspected by the Court it is Ordered Adjudged and decreed that the sale of the Land so made as aforesaid be in all things confirmed, And that upon the final payment of the purchase money, that the said Executor make, execute and deliver to the Timothy H Lefevre a good and Sufficient deed of Conveyance for the premises aforesaid. And further proceedings herein are continued

and the said Executor has now files his bond with security, is approved by the Court

Edward Strange guardian of Mary Ann & Sarah Jane Payne } Sale of Real Estate

Came now Edward Strange guardian as aforesaid and make and files the following report towit. And the premises being seen and the acts and proceedings of the said guardian being inspected and understood by the Court, It is Ordered and adjudged and decreed that the sale of the Land to the said John Bohannan so made by the said guardian as aforesaid be in all things confirmed. And that upon the payment of the full amount of the purchase money, that the said Edward Strange guardian, make execute and deliver to the said John Bohannan a good and Sufficient deed of Conveyance for the premises aforesaid. and further proceedings is Continued

And Court adjourned until tomorrow Morning nine oclock

James McClure

Tuesday Morning May the Twelfth Eighteen Hundred and forty Court in Session pursuant to Adjournment

Present the same as yesterday.

Simeon M. Payne's Estate

Came now Edward Strange Administrator of said estate, and makes and files the following the following Statement of his operations in said estate as such administrator Towit. And files also the vouchers mentioned in the above Statement numbered from No 8 which fully Close and settle up the business of said estate, leaving the sum of Eleven dollars and twenty four cents in his hands, which is the nett proceeds of said estate after paying all debts and expences of Administration.

Robert D Covy & Christian Hartman Guardians of the Estate of John Jones & James H Jones

Came now the said guardians and make and file the following report Towit, and Also return and deposit here in Court the several papers mentioned in said deposit Whereupon the said Robert D. Covy and Christian Hartman are discharged from and further care or accountability as such guardians And on Motion the said John Jones who is over fourteen years of age is permitted to Choose a guardian for his person and estate, and the said John now choses Aley Jones as such guardian, which is approved by the Court, and the said Aley is appointed accordingly. And also the said Aley Jones is appointed guardian of the person and estate of the said James H. Jones who is an infant under the age of fourteen years. And the said Aley Jones now files her bond with security is their in deposit and is sworn as such guardian

Robert Carter
Estate

Comes Now Samuel Carter administrator of said estate and Makes and files proof that Notice of the pendency of said petition of insolvency has been given pursuant to the Order of this Court in the Indiana Journal a public Newspaper printed and published at Indianapolis in Marion County And the said Administrator Now Makes and files the following account Current Shewing the Condition of said estate, and also files the several vouchers contained in support of said account Current Whereby it appears that after the payment of the expenses of administration, and last Sickness and funeral expenses there remains to be distributed among the Creditors of said estate as the Claims have filed the Sum of fifty four dollars Eighty Seven and a half Cents which is now paid Into Court by said administrator and finally Closes and Settles the affairs of said estate

Thomas Gillelands Sale of real estate
Estate

Comes Now Simon T. Hadley the Commissioner Heretofore appointed to make sale of the real estate of the said deceased and makes and files the following report, towit. And the acts of said Commissioner being examined and inspected by the Court. It is Ordered adjudged & decreed that the sale of the Land aforesaid. so made by the said Commissioner to the said Moses Dooley sr, aforesaid be in all things confirmed. And that Simon T Hadley be appointed a Commissioner of this Court fully authorized and empowered to make, execute and deliver to the said Moses Dadley his Heirs or assigns a good and sufficient deed of Conveyance for the Land aforesaid So Soon as the purchase Money shall be fully paid. And this estate is Continued.

Jesse Kennedy
Guardian

Comes Now Jesse Kennedy guardian of the Heirs of Nancy Walker, and Administrator of the estate of William Kennedy, and Makes and files the following Report Towit. And pays Into Court the sum of Nine dollars and twenty nine Cents. that being the whole amount with which he is Charged. after deducting his fees and expenses of Administration and Guardianship (Except the Clerks fees which are not yet paid) And on Motion to the court the said Jesse Kennedy is released from any further duties or responsibilities as such guardian or administrator

Received my fees $3.25 S. T. Hadley

Benjamin G. Sauts
Estate

Comes now Simon T. Hadley Executor of said estate and on his motion this estate is continued

William Wileys
Estate

Comes now Isaiah Wiley by Prentice his attorney and on his motion this estate is continued

Danner C. Jones
Estate

Comes Now Daniel D Hamilton administrator, and on his motion this Cause is continued

Elizabeth Swartz by her
Guardian Expa Henshaw
vs
Harmon Cox & Johnathan
Exr of William Cox

Ajournedit

Came now the parties by their Attorneys and on motion of the plaintiff this Cause is dismiss. It is therefore Considered by the Court that the defendant recover against the plaintiff the Costs and Charges herein laid out and expended taxed at dollars and cents

Benjamin Crabb
vs
Basel Scott Guardian

Ajournedit

On motion of the plaintiff It is ordered that the defendant be served with a Copy of the Order herein made at the last August Term And this Cause is Continued

And Court adjourned until tomorrow morning nine Oclock James McClure

Wednesday morning May the Thirteenth in the year Eighteen hundred and forty Court in Session pursuant to adjournment Present the same as yesterday

Absolam B. Gardners
Estate

Came now Hudson McVay one of the Executors of said estate and makes and files the following Statement of the settlement of said estate, to wit, and also produces and files the several papers refered to in said Statement as vouchers. whereby it appears that said the whole amount with which said Executors stand Charged is $736.21½ And the said Executor files a claim of $22.87½ for his services as such Executor. which is allowed. And also files vouchers No from 1 to 5 amounting to $132.94 (amongst which is included the Clerks receipt for $110.00 of Money paid into Court at Nov Term 1839. and which never was entered on the Order Book) which being added to the Claim of said Executor above allowed Makes the sum of $155.81 And also pays into Court the sum of $23.00 in Money. which added to the said sum of $155.81 Makes the sum of $178.81 And which added to the several sums of Money and vouchers heretofore filed and placed to the Credit of said Executors Makes the sum of $736.21. which Covers the whole amount with which they stand Charged and fully settles up the affairs of said estate (so far as the personal estate)

Moses Carell
Guardian of Bronaughs Children

Came now the said guardian and files a report. whereby it appears that he has received into his hands by virtue of his guardianship the sum of $2[illegible]

(the and over)

$210.16 And that he has paid out for various purposes as per vouchers filed the sum of $54.61½ leaving now in his hands the sum of $185.55 And further proceedings are continued

John Bohannon Guardian of Linder heirs } Appointment of guardian

On petition of Frances Linder, widow of Jesse Linder deceased, John Bohannon is appointed guardian of the persons and estates of Elijah Linder, Charles Linder, Jefferson Linder Lucinda Linder and Mahala Linder infant heirs of the said Jesse Linder, during the minority of said heirs, and who are under the age of fourteen years. And the said John Bohannon now files his bond with security which is approved by the court, and the said John is sworn as such guardian And it is Ordered that the Clerk pay over to said guardian the Amount of Money deposited in this Court belonging to said heirs, which is accordingly done towit the sum of $11.08 which is the whole amount of the nett proceeds of said estate.

Lewis Crum vs Joel Nelson and Hudson M'Vay Exrs of Absolum B. Gardner } Debt

Came now the parties by their attorneys and upon Motion of the defendants, and for Cause Shewn by them by affidavit towit, that said plaintiff is not a resident of this State. It is ruled that the plaintiff give bond with security for the payment of Costs. Provided the same be adjudged against him in this suit. And the plaintiff now files his bond for Costs with security and discharges the above rule, and files also his bill of exceptions taken herein to the above rule. And on Motion of the defendants, and for Cause Shewn by affidavit this Cause is Continued at the Costs of the defendants Ordered that they pay the Costs herein accrued occasioned by such Continuance.

John Hannah's Estate

The Clerk of this Court having granted and issued Letters Testamentary on the estate of John Hannah to Harman Hiatt and Elizabeth Hannah in vacation, and the acts and proceedings of the Clerk being inspected It is Ordered that the same be in all things confirmed And the said Executors now present an Inventory & Sale bill of said estate which are examined and ordered to be recorded And further proceedings herein are Continued

William Florance's Estate

Letters Testamentary having been granted and issued by the Clerks of this Court in vacation on the estate of the said William Florance to Elizabeth Florance, and the proceedings of the Clerk in the premises being examined and inspected by the Court It is Ordered that the same be in all things confirmed, and the said Executrix now produces an Inventory by her taken of the effects of said deceased which is Ordered to be recorded. And this estate is Continued

Thomas Fitzsimmons
Estate

Letters testamentary of the estate of the said Thomas Fitzsimmons deceased having been granted and ispued to William Pearson in vacation by the Clerk of this Court, and the same being now by the Court examined and inspected, it is ordered and adjudged that the proceedings of the Clerk in the ~~premises~~ premises be in all things confirmed And the said Executor now files and an Inventory and Sale bill which are examined and ordered to be recorded

William Blanton's
Estate

Letters testamentary having been granted and ispued in vacation by the Clerk of this Court to Edward Strange of the estate of the said William Blanton deceased. And the same being inspected and examined by the Court It is ordered that the proceedings of the Clerk in the premises be in all things confirmed And further proceedings therein are Continued

Joseph Waddle's
Estate

Letters of administration having been granted and ispued by the Clerk of this Court in vacation, to Julian Waddle on the estate of the said Joseph Waddle, and the same being examined by the Court It is ordered that the proceedings of the Clerk in the premises in vacation be in all things confirmed

Jesse Saferite's
Estate

Letters of administration having been granted and ispued by the Clerk of this Court in vacation to John Saferite on the estate of the said Jesse Saferite deceased, and the acts and proceedings of the Clerk being examined and inspected by the Court It is ordered and adjudged that the same be in all things confirmed, and further proceedings herein are Continued.

James Campbell's
Estate

Jeminah Hadley administrator of said estate now presents to the Court an Inventory and Sale bill of said estate, which are examined and Ordered to be recorded And further proceedings herein are Continued

George Hedrick's
Estate

William Kelly administrator of said estate presents to the Court an Inventory and Sale Bill of said estate which are examined and Ordered to be recorded. And further proceedings therein are Continued.

Joel Osborn's
Estate

Charles Coffin administrator of of said estate now presents to the Court an Inventory & Sale Bill by him taken, which are inspected & examined and ordered to be recorded And further proceedings therein are Continued

Isaac Taylors
Estate

Comes now Mary Taylor Executrix and presents to the Court an Inventory by her taken of said estate, which is examined and Ordered to be recorded. And further proceedings herein are Continued.

And Court Adjourned until tomorrow Morning Nine O'Clock

James McClure

Thursday Morning May 11th in the year Eighteen Hundred and forty

Court in Session Pursuant to Adjournment

Present the same as Yesterday

Joseph Beeler Guardian of George Stallcup infant — Application for sale of Real Estate

Comes now the said Joseph Beeler Guardian as aforesaid and files his Bill (petition) in the words following (here insert) Whereupon it is ordered that Samuel McKoy Edmund Clark and Jacob Doff good and lawful men and Freeholders of said County be and they are hereby appointed appraisers to appraise the aforesaid Tracts of Land to wit a part of Section Five in Township Fourteen North of Range one East Beginning at the half mile Stake on the section line dividing sections five and six in the Township and Range aforesaid, running thence North Eighty five degrees East nine & chains, thence South Eighty Eight degrees East nine chains and fifty Links, thence south twenty seven degrees East nine chains and twenty one links, thence west twenty one chains sixty eight links to the beginning containing in all twenty acres and seventy hundredths of an acre it being a part of the South half of the North west quarter of section five in the Township and Range aforesaid (with the exception of the public ground in the Town of Hillsborough and likewise such lots as had been sold previously to the 26th day of November AD 1831 and deeded away or bonds held for deeds

Also the South fraction of the North East quarter of Section six in Township Fourteen North of Range one East containing Eighty Acres and thirty two hundredths of an acre with the Exception of Twenty

Acres off of the west end of said fraction it being forty rods in width across the entire end which said land is held by will from Thomas Mattock and no known encumbrance thereon at this time

And the West half of the South East quarter of Section thirty in Township Fifteen north of Range one East held by the said infant under a partition and decree of the Hendricks Circuit Court as a part of the real Estate of George Mattock deceased (the father of the said infant and encumbered by the possession and occupancy of Benjamin Armstrong under a deed from the aforesaid Thomas Mattock which said tract was devised to the said Thomas by the said George deceased as is alledged, though does not appear of record

Also fifty acres off of the North End of the West half of the North East quarter of Section thirty one in the Township and range last aforesaid which said tract is also held by said infant by partition and decree of the Hendricks Circuit Court as a part of the real Estate of George Mattock deceased the father of the aforesaid Thomas and said infant which said last tract is encumbered by the possession and occupancy of Jeremiah Porter by deed from Charles Ventress and the said Ventress by deed from said Thomas Mattock and the said Thomas by claim or device from his aforesaid father George Mattock deceased with the appurtenances thereunto belonging taking into consideration the encumbrances thereon above recited, it being the real estate [illegible] and left as aforesaid by the said George Mattock infant as aforesaid And to make report of their assessment to this Court on the first day of the next term thereof

Amos Darnall's
Estate

Came now the said Executors and file the following additional Inventory and Sale bill which are examined and Ordered to be recorded and further proceedings herein are Continued.

And Court Adjourned

James McClure

Vacation Entry

Daniel B. Inyers Estate

Be it remembered that on the 29th day of May 1840 The Clerk of this Court having granted Letters of administration with a copy of the will annexed on the estate of Daniel B. Inyer dec'd to David Powell in vacation, (the said will being first duly proved before said Clerk by the oath of William Gladden and David Powell the subscribing witnesses thereto) and the granting and issuing of said letters being before widow of said deceased having first filed her renunciation of all right and claim to the administration of said estate Whereupon the said David Powell entered into bond according to law and was duly sworn as such administrator.

Attest J. H. Gregg Clk

Daniel Parker's Estate

Be it remembered that on this 30th day of June 1840 letters of administration are granted and issued by the undersigned Clerk of the Probate Court of Hendricks County, on the estate of Daniel Parker late of said County deceased, to John Lawrence. And the said Lawrence now files his bond with security and is sworn as such Administrator

Recorded

Benjamin B. Dell's Estate

Be it remembered that on this 3rd day of July 1840 letters of administration on the estate of Benjamin B. Dell late of Hendricks County dec'd are granted and issued by the undersigned Clerk of the Probate Court of said County, to Mordecai Taylor. And the said Mordecai Taylor having filed the renunciation of the widow and also his bond, and is duly sworn as such administrator

Attest J. H. Gregg Clk

David Vestal's
Estate

Be it remembered that on the 7th day of August 1840 letters of administration on the estate of the said David Vestal deceased, are granted and issued by the undersigned clerk of the Hendricks probate Court to William Vestal, the having first produced and filed the renunciation of the widow of said deceased. And the said William Vestal now files his bond with security, and is sworn as such Administrator

Attest J. M. Gregg Clk

John Wilkins's
Estate

Be it remembered that on this 2nd day of July 1840 Letters of administration on the estate of John Wilkins late of the County on Hendricks and State of Indiana, deceased, are granted and issued unto Hirdm H Lewis by me the undersigned clerk of the Probate Court of said County, he having first produced and filed the renunciation of the widow of said deceased And the said Hirdm H. Lewis now files his bond with security and is sworn as such Administrator

Attest, J. M. Gregg clerk

At a term of the Hendricks Probate Court begun and held at the Court House in Danville on Monday the tenth day of August in the year of our Lord One Thousand Eight Hundred and forty

Present the

Honorable James McClure sole Judge of said Court.

Jacob Hiatt on
Charge of Lunacy

Comes now Joseph Hiatt and files his petition, Charging that Jacob Hiatt now is and for a long time past has been so far deprived of his reason and understanding as to be unable to govern himself, or manage his affairs, And also files the affidavit of Elijah Killum and Caleb Summers, whereby it appears to the satisfaction of the Court that the Charges in said petition Contained are true as therein set forth, Wherefore it is Ordered that Lock Hodgen and Samuel Parker Esquires of the said County of Hendricks, be and they are hereby appointed Commissioners to diligently inquire by the oaths of twelve good and lawful men of said County, by whom the truth of the matter may be better known, whether the said Jacob Hiatt be Compos Mentis or not; if not, whether he has been Non Compos Mentis from his Nativity, or from any other time, and from what time; And whether, Since he has been in that Condition, he has alienated any part of his real estate, and when and to whom; And what estate real and personal, yet remains, and of what value; And who are his heirs and of what ages. And the inquisition when so taken, that the said Commissioners return into this Court on some Subsequent day of this term And day is given

Heirs of the Estate of Thomas Fitzsimmons dec'd } Application for a pension

Comes Now William Pearson Executor of the estate of the said estate deceased, and Makes and produces to the Court satisfactory evidence that the said Thomas Fitzsimmons Now deceased, was a pensioner of the United States at the rate of Eighty dollars per annum, that he died in said County of Hendricks in the State of Indiana on the 12th day of March 1840 leaving a widow, who died on the 25th day of April 1840 and that Patrick Fitzsimmons, Richard Fitzsimmons, Nancy Pearson formerly Nancy Fitzsimmons, Rhoda Knowles formerly Rhoda Fitzsimmons and John Fitzsimmons are the only Children of the late Thomas Fitzsimmons aforesaid, and their wife Polly Fitzsimmons.

John Leach's Estate

Comes Now John Leach and Meredith Leach and file their petition Showing themselves to be Heirs of said estate, and praying that an Order be Made by this Court. directing the Clerk to pay over to them, their distributive Share of said estate, Whereupon It is Ordered that the Clerk of this Court pay over to the said John the Sum of Eighty dollars and to the said Meredith the Sum of fifty Nine dollars and Six Cents. on their filing their bonds with Security, to refund to any unknown Heir or Creditor, which bonds are Now filed and the aforesaid Sums of Money paid over to the said John and Meredith And further proceedings in this estate are Continued

Sarah Jones widow of James C. Jones dec'd
David D. Hamilton adm'r &
William W Jones, Julany Jones
Eliza Ann Jones & Darcus Jones
Heirs of the said deceased } Application for the assignment of Dower

Comes Now the said Sarah Jones widow of the said James C. Jones deceased by Nave her attorney and files her petition praying the Court to appoint Commissioners to assign dower to her the said Sarah in the following described land, towit, beginning at the South East Corner of Section three in Township fifteen North, of Range one West, thence West with the Section line forty two rods and twenty links to a pin oak, fifteen inches in diameter; thence North with Section bearing fifty four rods and seven links; thence East with the bearing aforesaid forty two rods and twenty links to the Section line; thence South with said Section line to the place of beginning Containing fourteen Acres and twenty one hundredths of an Acre. And the said Sarah also files the following Notice of her intention to apply for the assignment of dower, printed and published in the Indiana Democrat, a public Newspaper of general circulation printed and published in Indianapolis in Marion County (viz) Whereupon Lewis T. Hadley, David Wallace and Joel Self are appointed Commissioners to assign to the said Sarah dower in the premises aforesaid. And it is Ordered that the Commissioners make report of their proceedings under their hands and seals to this Court on this or some Subsequent day of this term And Now Comes the said Commissioners Come into open Court and are duly Sworn faithfully and impartially to discharge their duties as such Commissioners in the assignment of dower in the premises aforesaid. And day is given

Aaron Harding
Guardian

Ordered that a citation issue against Guardian of Martha Ann Thomas
the said Aaron Harding directed to the Sheriff of Hendricks County, Commanding him to cite the said Aaron Harding to be & appear forthwith in this Court, and Report the Condition of the estate of his said ward. and day is given

Robert Land Guardian
of James Hilleland

Ordered that a citation issue against said Guardian, returnable to the next term of this Court requiring him to report the Condition of the estate of his ward &c And this Case is Continued

Samuel Charles Guardian
of the Heirs of John Charles dec'd

Ordered that a citation issue directed to the Sheriff of Wayne County, Commanding him to Summon the said Samuel Charles to be and appear before the Judge of this Court on the first day of the next term of this Court and then and there settle the affairs of his said Guardianship

Robert Sorrell's
Estate

Came now the administrator by Nash his attorney and on his motion this estate is Continued.

John Thompson's
Estate

Came now the said Administrator, and Simon S. Hadley the Commissioner heretofore appointed Comm's Rep
to Sell Certain lands belonging to the said estate, and make and file the following Report &c (viz) whereby it appears that the land mentioned and described in the Memorial of said administrator, and Ordered to be sold by the said Commissioner has not been sold for the want of bidders Wherefore it is on motion of the said administrator Ordered that an Alias Order for the Sale of said land be issued to the said Simon S. Hadley directing him to sell the said lands upon the same terms and conditions of the former Order. And this estate is Continued.

Thomas Faulkners
Estate

Ordered that a citation issue directed to the Sheriff of this County, Commanding him to Summon the said Nancy Faulkner administratrix to appear on the first day of the next term of this Court and settle the affairs of said estate or shew Cause sufficient Cause why the same Can not be settled And this estate is Continued.

Samuel Laws's
Estate

Came now Samuel Laws Jr Executor by Marvin his attorney and on his motion this estate is Continued.

And Court adjourned until Nine O'Clock Tomorrow Morning

James McClure

August Term 1840

Tuesday Morning August the Eleventh in the year Eighteen hundred and forty Court in Session pursuant to adjournment. Present the Same as yesterday.

Thomas L. Watson
Guardian of Mackendaner

Comes now said Guardian and files his petition whereupon the further proceedings therein is Continued.

Barclay Durrow's Guardian
of Harriet & Amos Adams

Comes now said guardian and Marks and files the following report (viz) to wit It appears that he has allowed since his last report the Sum of $116.45 Ordered that the be Charged therewith And further proceedings therein are Continued

Michael Robbing's
Estate

Comes now Leb Osborn administrator by Nave his attorney and on his motion and for cause shewn by a Statement in writing by him filed this estate is Continued.

David McDaniel's
Estate

Comes now Leb Osborn administrator by Nave his attorney, and on his motion and for Cause shewn in writing this estate is Continued

William Mover's
Estate

Ordered that a citation issue to the sheriff of Hendricks County Commanding him to Summons the said Isaac Mover administrator to appear on the first day of the next term and Settle said estate or Shew Some Sufficient Cause why the same cannot be Settled. and this estate is Continued

Henry Briggs
Estate

Comes now the said Executors by Bruton their attorney and on his motion this estate is Continued.

William Cox's
Estate

Comes now the Executors by Nave their attorney and on his motion this estate is Continued.

Peter Cameron's
Estate

Comes now said administrator by Nave his attorney and on his motion this estate is Continued

Benjamin L. Foulk's
Estate

Comes now said Executor and on his motion and for Cause by him shewn here in writing this estate is Continued.

Isaac Purgan's
Estate

Now Comes the said administrator, and on his motion this estate is Continued.

William Wiley's
Estate

Ordered that a citation issue to the Sheriff of Hancock County, returnable instanter, Commanding him to Summon the said Isaiah Wiley administrator of said estate to appear forthwith in this Court, and settle the affairs of the said estate or show sufficient cause for a Continuation of the same, and day is given

John Pahl's
Estate

Came now the administratrix by Nave her attorney and on this Motion and for Cause shown in writing shown this estate is continued

Miram Tomlinson's
Estate

Now Came the administrator by Preston his attorney and on his Motion this estate is Continued.

Benjamin Crabb
vs
Basel Lant
Injunction

Came now the plff by Nave his attorney & on this Motion it is Ordered that an attachment issue against the said Basel Lant returnable forthwith directed to the Sheriff of Hancock County, Commanding him to attach the body of the said Basel Lant and bring him forthwith before this Court to answer for a Contempt of Court in refusing to obey the order thereof said day is given

James C. Lanes's
Estate

Sale of real estate.

Came now the said administratrix by Nave her attorney, and it appearing to the Court the widow of said deceased by Nave her attorney Came also and says She cannot gain say or deny but that the matters and things set forth in said Memorial are true as therein alleged, and further that She has nothing to say why said Lands Shall not be sold Subject to her right of dower thereafter to be assigned to her according to the provisions of the Statute in Such Case made and provided And the said Nave also enters his appearance for the Minor heirs of said estate, and for them, says that the matters and things set forth and charged in said Memorial are true as he is advised and believes to and that they Have no reason why the premises aforesaid Shall not be sold for the purposes therein mentioned. Wherefore It is Ordered adjudged and decreed, that the premises aforesaid, described in said Memorial and described as follows, towit, beginning at the South East Corner of Section three in Township fifteen North of Range one West, thence West with the Section line forty two rods and twenty links to a pin oak fifteen inches in diameter thence North with Section bearing fifty four rods and Seventeen links, thence East with the bearing aforesaid forty two rods and twenty links to the Section line; thence South with said Section line to the place of beginning Containing fourteen Acres and Seventy one hundredths of an acre more or less be sold Subject to the widows right of dower thereafter to be assigned, on a Credit of Six Months. And that Seman T. Hadley be and he is hereby appointed a Commissioner to sell the same, and that previous to offering the said premises for sale, the said Commissioner give the same Notice of the time and place of sale, that is required for the sale of real estate upon execution, and that he take from the purchasers bond

with good and Sufficient Security for the payment of the purchase Money, giving at the same time to the purchaser a Certificate of Sale and purchase, which Sale and purchase is and Shall be Subject to the Confirmation or rejection of this Court. And if the Sale as Made be Confirmed, that the purchaser will then on the full payment of the purchase Money be entitled to a deed of Conveyance for the premises. And it is Ordered that the said Commissioners Make report of this proceedings to the next term of this Court. And further proceedings Herein are Continued

Sarah Cones
vs
Daniel D Hamilton adm'r &
the Heirs of Lemuel C. Jones
} Assignation for Dower

Came (now the said Sarah Jones by Nave her attorney. And the said Commissioners heretofore appointed to assign dower to the said Sarah in the premises aforesaid, Come also and Make and file the following report, towit

We the undersigned Commissioners appointed in and by the foregoing order to set off and assign to Sarah Jones widow of James C Jones deceased her dower in and to the lands therein mentioned, and described as follows to wit; Commencing at the South East Corner of Section three in Township fifteen North of Range one West, thence west with the section line 42 rods & 20 links to a pin oak fifteen inches in Diameter thence north with Section bearing 84 rods & 17 links thence East with the bearing aforesaid 42 rods & 20 links to the section line. Thence South with said line to the beginning Containing 14 71/100 Acres and having been duly Sworn upon actual view of the premises

do assign and set over to the said Sarah Jones widow as aforesaid for her dower estate so much of the foregoing described Land as is included in the following boundary to wit. Commencing thirty rods & twenty links west of the aforesaid South East Corner of Section three on the Section line running thence with said line twelve rods to the aforesaid Pin oak thence North allowing section bearing twenty three rods thence East with the aforesaid bearing Eighteen rods thence to the place of Beginning containing two acres and Eighteen hundredths of an Acre & including the dwelling House thereon

Given under our hands and seals this 11th day of August A D 1860

J. T. Headley (Seal)
David Matlock (Seal)
Joel Delp (Seal)

Whereupon it is Ordered adjudged and decreed that the said Sarah Jones have and hold for the rights of dower the premises described in the above report. And that it is further Ordered that Daniel D. Hamilton administrator of the estate of the said James C Jones pay the costs of this proceeding out of any Moneys in his hands belonging to said estate

Lewis Cream
vs
Joel Nelson & Hudson
McVay Ex't of S. B. Gardner
} Debt

Came now the parties by their attorneys, and on Motion of Preston attorney for defendants, the depositions of Philip Stone and John Crumm are published. Whereupon Nave attorney for the plaintiff moves the Court to suppress the said depositions. And day is given the parties to be heard upon the said motion to suppress. And Court adjourned until nine o'clock tomorrow morning

Isaac McClure

Wednesday Morning August the twelfth in the year Eighteen hundred and forty. Court in Session pursuant to adjournment. Present the same as yesterday.

George Hancock's
Estate

Now Came Sally Hancock, widow of George Hancock late of Hendricks County deceased and relinquishes all right to the administration of the estate of her late husband George Hancock, And on motion to the Court, Thomas Hancock is appointed administrator of said estate, And now Comes into Court the said Thomas Hancock and files his bond with Security which is deemed good and sufficient, and is duly sworn as such administrator.

Thomas Henderson's
Estate

Now Came Margaret Henderson Administratrix of the estate of the said Thomas Henderson and who is also the widow of the deceased, and shows to the Satisfaction of the Court, that the Whole amount of the personal estate of the said deceased, only amount to the sum of Eighty Nine dollars by appraisement and Sixty two cents, And there being no Claims filed against said estate, the said Margaret as the widow of the deceased, says she does take and convert to her own use the Whole of the personal estate of the deceased, amounting to the said sum of $89.62 agreeably to the provisions of the Statute allowing to widows One Hundred dollars worth of property at its appraised value, which exhaust the settlement of said estate. Whereupon the said Margaret is discharged from any further responsibility as such administratrix.

George Hedrick's
Estate

Came now William Kelly administrator of said Estate by Marvin his attorney and files his petition Showing that in Consequence of his bad health he is entirely unable to perform and discharge the duties required of him as such administrator, and praying to be released and discharged therefrom, and that another person be appointed as such administrator in his room and stead, Whereupon George S. West is appointed administrator of the estate of the said George Hedrick in place of the the said William Kelly, and the said George S West now files his bond with Security which is deemed good and Sufficient, and is Sworn as such administrator. And the said Kelly now pays over to the said George S. West all of the Money, Notes, Accounts &c mentioned and described in his said petition. And further proceedings therein are Continued.

Elizabeth Holsclaw's
Estate

Came now John Collins, administrator of the said estate and files and account current, Whereby he charges himself with the sum of forty four dollars that being the Whole amount of the goods, Chattels, rights, credits, Moneys and effects of said estate, Which has come to his hands to be administered. And the said administrator also produces and files vouchers against the estate numbered from One to Nine both inclusive, Amounting to forty three dollars and Ninety Nine Cents, and Comes within One cent of Covering the Whole amount with which the administrator stands Charged, And finally Closes the affairs of said estate.

August Term 1860

Henry D. Carter's
Estate

Comes now Joel Self administrator and Makes proof to the Satisfaction of the Court, that Notice of the insolvency of this estate, and the pendency of the petition of the said administrator to settle the same as an insolvent estate, has been given by six successive publications in the Indiana Democrat a public Newspaper printed and published at Indianapolis in Marion County pursuant to the order of this Court, And also filed an account current, whereby the Charges Himself administrator with the sums of two hundred and thirteen dollars and twenty and one fourth cents ($213.20¼) which is the whole and entire Amount of Assets Come to his hands or administrator, And Also filed vouchers against said estate amounting to the sum of One hundred and fifty one dollars and Eight Cents $151.08 which deducted from the amount with which he is charged leaves the sum of sixty two dollars and Sixty two cents ($62.62) with which the said administrator prays Now Come into Court in Cash and which fully covers the amount with which said administrator stands charged. Our further proceedings herein are Continued

Joseph Decker Guardian of } Sale of real estate
George Matlock }

Comes Now the said guardian and Edmund Clark Samuel Metzger and Joel Self appraisers heretofore appointed and Make and file their following report. We the undersigned appointed by the within order to appraise the premises therein mentioned and described (taking into consideration the encumberance thereon) having been sworn according to Law do report

that upon due consideration and examination of the premises we are of the opinion that said Lands with the improvements and appurtenances is worth Eight hundred Dollars with the encumberance thereon, and do appraise the same accordingly whereupon it is ordered and decreed by the Court that the premises mentioned and described in the petition and above appraised be sold at private sale on the terms following One third of the purchase money Cash in hand or a note with good and sufficient security drawing interest from date at the rate of ten per cent. One third due the 25th day of December 1860 and the remaining third due the 25th day of December 1861 bearing interest at the rate of Sixe per cent from date, good and sufficient security required for the payment of each note and for the purpose of effecting such sale it is Ordered that Thomas Peck be and he is hereby appointed a Commissioner to sell the premises aforesaid at private sale upon the terms aforesaid And it is further ordered that the said Commissioner upon the sale of the premises aforesaid execute to the purchaser a certificate of Sale and purchase stating therein that upon the full payment of the purchase money he will be entitled to a deed for the premises aforesaid provided the sale so made be confirmed by this Court And it is ordered that the said Commissioner report his proceedings to the next term of this Court and further proceedings are herein Continued

Samuel McPheeters Guardian
of the Heirs of Caleb Garrett

Comes now the Guardian by Marin his attorney and on his motion and for cause here shown is granting further proceedings herein Continued

Dom Smiths
Estate

Comes now Rufus Pr Smith adminis-
trator and on his motion and for cause
shewn by affadavid filed this Estate is
continued

Charles Daves
Estate

Comes now Sandy Scott by
Brenton his attorney and on his motion Same
for cause here shewn this Estate is continued

William Jenkins
Estate

Comes now the said Admin-
istrators by Nave their attorney and on his
motion fond for cause here shewn this
Estate is Continued

And Court adjourned until Nine Oclock
tomorrow Morning

Parnes McClure

Thursday Morning August the Thirteenth in the
year Eighteen Hundred and forty Court in Session
Pursuant to adjournment & Present the same as Yesterday

Abijah D. Garrison
Estate

Came Now Josiah Garrison administrator
and files a Statement of the amount received and paid out
by him as such administrator, whereby he charges himself
as administrator with the sum of $422.38 which is the
whole and entire amount of said estate, and claims a
Credit for Money paid into Court, and vouchers filed and
allowed by the Court including a bill of Charges for his
Services as administrator, Amounting in all to the sum
of $414.70 which over runs the amount with which he
stands Charged $7.32 21 is therefore ordered that the Clerk
of this Court refund to the said administrator out of the money
belonging to the estate the sum of $7.32 which is now paid
over him in open Court. And leaves in the hands of said
Clerk the Sum of $3.11 out of which the Clerks fees in
the administration of this estate is yet to be taken and also
$3.00 to R.L. Carter the balance for making Coffin and
$1.00 to George M.C. Blythe as per Order on file of Dr
Abrahams Claim. And the said administrator having nothing
further to administer or account for is discharged

William Riley
Estate

Comes now Sarah Riley Admi-
nistrator and files the following Report (Viz) and
whereby it appears that the whole of the personal
Estate amounted by appraisement to the Sum of Ninety
three dollars & Seventy five cents and that Ann Riley
widow of the deceased did take and receive the whole

amount of said property amounting to the aforesaid sum of $93.75 cents and whose receipt for the same the said Administrator now files there being no demands filed against the Estate. It is ordered that the said Administrator be discharged upon the payment of the Clerks fees in this Estate which is herein now paid and this Estate finally closed

Joseph Hiatt Guardian
of Jacob Hiatt

Now comes Joel Hodgin and Samuel Barker commissioners heretofore appointed by this Court to enquire and report whether the said Jacob Hiatt be of sound mind or not now file the following report (insert) Wherefore it is ordered that Joseph Hiatt be and is hereby appointed Guardian of the person and Estate of the said Jacob Hiatt and the said Joseph now comes hereinto Court and files his Bond in the sum of Twenty five hundred Dollars with security which is deemed good and sufficient and is sworn as such Guardian and further proceedings are herein Continued

James Nichols
Estate

Comes now Thomas Nichols and Erasmus Nichols and file an account current wherein they charge themselves as such Executors with Assets to the amount of three hundred Sixty four dollars & twelve cents. And also claim a credit for divers sums by them paid out and for which they produce Vouchers amounting in all to the Sum of Three hundred Sixty four dollars & twelve cents which covers the amount for which they

Stand charged. And it appearing to the satisfaction of the Court that the said last Will and Testament has been fully executed by the said Executors and that no third further remains to be done in said Estate It is ordered that they be discharged

Jacob Fose's
Estate

Comes now Asher Hunt Executor and files an exhibit of his proceedings as such Executor thereby shown to be indebted to said Estate as per Sale Bill in the sum of Two hundred & one dollars and fifty nine cents and also shows by said exhibit the payment of money into Court and Vouchers amounting to the sum of Two hundred and ten dollars & forty four cents. and also shows by said report that all the claims belonging to said Estate have been received by him except one note on the Estate of David Post for Eight dollars and forty nine cents and it appearing to the Court by said exhibit that the Executor has advanced a greater amount of money than that with which he is charged It is therefore ordered that he proceed as required by the last will of said deceased to sell and dispose of property belonging to said Estate to fully satisfy and discharge all Debts against said Estate. and this Cause is continued

Aaron Harding
Guardian of Martha Ann Ashton

Comes now the said Guardian and files a report showing that he has received and now has on hand including principal and interest up to this time the sum of Two hundred and ninety dollars & thirty four cents and also files Vouchers against his said ward one of which

is for his own services as such Guardian amounting altogether to the sum of Sixty one dollars & twelve cts which is received and allowed by the Court and ordered to be placed to the credit of said Guardian and further proceedings are herein Continued

Basil Lout Guardian
of the Heirs of Wm Lout

Comes now the said Guardian and files a report showing that he has received monies to his said Wards since his last report. One thousand dollars on the first of September 1839 and also one Years interest on the amount by him heretofore reported amounting to one hundred and thirty one dollars & ten cents making together Eleven hundred and thirty one dollars & ten cents also that on the 27th of April 1840 he received Seventy two dollars of money belonging to Benjamin & William two of his aforesaid wards and the said Guardian produces to the Court a receipt from Benjamin Lout one of the aforesaid wards for Eleven hundred and three dollars also a receipt from Benjamin Gerable the husband and present Guardian of the aforesaid Sarah amounting to Five hundred and Sixty dollars & ninety seven cents and further proceedings are herein Continued

Benjamin Gerable
vs
Basil Lout

Comes now the said Basil Lout and produces a receipt from the said Benjamin Gerable for money by him paid to the said Benjamin amounting to Five hundred and Sixty dollars and ninety seven cents

Whereupon this Case is dismissed at the cost of the said Basil Lout Guardian as aforesaid

Amos Darnalls
Estate

Comes now the Executors by Brenton their attorney and on his motion this Estate is Continued

Lewis Crunn
vs
Joel Nelson & Hudson
McVay Executors of
Absolom B. Gardner

Debt

Now come the parties by their attorneys and the plaintiff by leave of his attorney now files herein in writing the causes by him urged in support of the motion to suppress the depositions of Philip Stone & John Crunn aforesaid and the Court being sufficiently advised in the premises do overrule the motion to suppress the said depositions and by the consent of the parties this issue herein joined are submitted to the Court without the intervention of a Jury and the proofs and allegations of the parties being heard and understood and the Court sufficiently advised in the premises do find and say that the said writing obligatory in the plaintiffs declaration mentioned was obtained from the said Absolom B. Gardner and Rosamah Gardner by fraud covin and misrepresentation Wherefore it is considered by the Court that the Plaintiff take nothing by his said action and that the defendants the said Joel Nelson & Hudson McVay Executors as aforesaid recover against the said plaintiff their costs and charges herein laid out and expended taxed at dollars and cents and the

Plaintiff by Nave his attorney moves the Court in arrest of the Judgment above rendered and to grant a new trial which motion is overruled and thereupon the Plaintiff excepts and now files his bill of exceptions (insert)

David B. Myers Estate

Letters testamentary on the estate of the said David B. Myers deceased having been granted and issued to David Fancett in vacation by the Clerk of this Court, and the acts and proceedings of the Clerk being examined and inspected by the Court it is Ordered that the same be in all things confirmed. And this estate is Continued

R

Daniel Parker Estate

Letters of administration on the estate of Daniel Parker late of Hendricks County dec'd having been granted and issued to John Lawrence by the Clerk of this Court in vacation, and the same being examined and inspected by the Court it is Considered the proceedings of the Clerk in the premises be in all things confirmed

Recorded

Benjamin E. Pell's Estate

Letters of administration on the estate of Benjamin E. Pell late of Hendricks County dec'd having been granted and issued Letters by the Clerk of this Court in vacation to Mordecai Taylor and the proceedings of the Clerk being inspected and examined by the court. It is ordered that the

and an inventory of personal property is now examined & ordered to be recorded same be in all things Confirmed, and further proceedings in this estate are ~~Confirmed~~ Continued.

David Vestal's Estate

The Clerk of this Court, in vacation, having granted and issued Letters of Administration on the estate of David Vestal late of Hendricks County deceased to William Vestal. and the same being inspected and examined by the Court. it is ordered that the proceedings of the Clerk in the premises be in all things confirmed And this estate is Continued

R

Jesse Saferight's Estate

Came now John Saferight administrator and files an Inventory, an additional and the widows receipt for Eighty one dollars and twenty five cents of property by her taken at its appraised value, which are Ordered to be recorded And this estate is Continued

And Court Adjourned until nine O'clock tomorrow Morning — James McClure

August Term 1840

Friday Morning August the fourteenth in the year Eighteen hundred and forty Court in Session pursuant to adjournment Present the same as yesterday

Joel Osborn's Estate — Application for sale of real Estate

Came now Charles Coffin administrator, and files his Memorial shewing the insufficiency of the personal estate to pay the debts of the deceased and also files an Inventory and appraisement of certain real estate of which the deceased died seized, and praying in and by said Memorial that the said Lands be sold and made assets in his hands for the payment of the debts aforesaid, Whereupon it is Ordered that a Citation issue directed to the Sheriff of Hendricks County, Commanding him to Summon the heirs of the deceased, towit Jane Osborn, Charles Coffin & Rachel his wife, formerly Rachel Osborn, Lydia Osborn, Asa Osborn, Elijah Osborn, Anna Osborn, Esther Osborn & Mary Ann Osborn to be and appear in this Court on the first day of the next term, and shew cause if any they have why the said real estate shall not be sold and made assets in the hands of the said administrator for the payment of the debts aforesaid. And this estate is Continued

David Fox's Estate

Comes now Thomas Higgins administrator and files his petition praying the Court to Order a sale of the real estate of the deceased agreeably to the provision of the will. Wherefore it is Ordered that

that the said administrator expose to sale at public Out Cry on a Credit of twelve Months, all the real estate Mentioned in, and authorized to be sold by the provisions of the last will and testament of the deceased, first giving the same notice of the time and place of Sale, that is required by law for the sale of real estate upon execution & taking from the purchaser bond with good and sufficient security for the payment of the purchase Money. And at the same time giving to the purchaser a Certificate of Sale and purchase, Stating therein that on full payment of the purchase Money he will be entitled to a deed of Conveyance &c And further proceedings herein are Continued.

William Blanton's Estate

Comes now the administrator & presents to the Court for inspection and examination an Inventory by him taken of the personal estate of the deceased. which is Ordered to be recorded And this estate is Continued

Daniel D. Dyer's Estate

An Inventory and Sale bill taken by David Trueett administrator of this estate is now presented to the Court, examined, and Ordered to be recorded

Joseph Waddle's Estate

The Sale bill & Inventory of property sold by the administratrix in this estate is now presented to the Court, examined, and Ordered to be recorded, and the administratrix Charged with the amount thereof.

August Term 1840

David Vestal's
Estate

An Inventory of the personal estate of the deceased taken by William Vestal administrator thereof is now presented to the Court, examined, and Ordered to be recorded.

John Wilkin's
Estate

An Inventory and sale bill is now presented to the Court for inspection, and examined and Ordered to be recorded

Thomas Fitzsimmons
Estate

The Sale bill of the personal property Sold by William Pearce, Executor, is now presented to the Court for inspection, and examined and Ordered to be recorded and said Executor Charged thereto.

John Master's
Estate

Came this day the Sheriff of Morgan County and returned that a Citation issued against Lewis Maston Administrator directed to the Sheriff of Morgan County, Commanding him to Summon the said Lewis Maston to appear on the first day of the next term of this Court and settle and adjust the affairs of this estate or Show Some Sufficient reason why the same cannot be done And this estate is Continued.

And Court Adjourned

Lewis McClure

Vacation Entries

Be it remembered that on this the 18th day of September in the year 1840, Letters of administration on the estate of Anderson I. Pounds, late of Hendricks County, deceased, is is granted and issued by the undersigned, Clerk of the Probate Court of said County to Lewis I. Pounds, the said Lewis I. having first produced the renunciation of the widow of the deceased, and filed his bond with Security; And the said Lewis I. Pounds is now sworn as such Administrator.

Attest, J. M. Gregg clerk

Be it remembered that on this the 21st day of September 1840, Letters of administration on the estate of Enoch Harlan late of the County of Hendricks and State of Indiana, deceased, are granted, issued and issued unto John Harlan a brother of said deceased, by me the undersigned Clerk of the Probate Court of said County, the said John Harlan having first produced and filed the renunciation of the widow of said deceased, to administer on said estate and also his bond with Security, and the said John Harlan is now Sworn as Administrator of said estate according to law

Attest, J. M. Gregg clerk

Be it remembered that on this 6th day of October 1840 Letters of administration on the estate of John Capell, late of the County of Hendricks and State of Indiana, deceased, are granted and issued by me the undersigned Clerk of the Probate Court of said County unto Simon T. Hadley he having previous to said grant filed in my office the renunciation of the widow of the said deceased and also his bond with Security And the said Simon T. Hadley is now by me duly Sworn as administrator of said estate

Attest J. M. Gregg Clerk

Be it remembered that on this the 13th day of October 1840 Letters testamentary on the estate of William Kelly late of the County of Hendricks and State of Indiana, deceased, are granted and issued unto John Houston and Daniel Liming the Executors named in and by the last Will and testament of said deceased

they having previous to said grant duly filed said Will in my office and proved the same by the oath of Wesley Mayfield One of the Subscribing witnesses thereto And also filed their bond with Security And the Houston and Liming are now by me duly Sworn as such Executors.

Attest. J W. Gregg clerk

November Term 1840

At a Term of the Hendricks Probate Court begun and held at the Court House in Danville on Monday the Ninth day of November in the year Eighteen hundred and forty.

Present the Honorable James McClure Judge of said Court.

Ordered that Daniel Hambleton Snr. be and he is by the Court fined the sum of One dollar for a contempt of Court. And it is ordered that the said Daniel Hambleton stand committed in the custody of the Sheriff until said fine is paid. And the said Daniel now pays his said fine into Court.

John Smith's Estate

Comes now Hugh P. Smith administrator of said estate and on his motion this estate is Continued

Benjamin C Purtle's Estate

Comes now Beverly Pollard Executor by Nave his attorney and on his motion this estate is Continued

Thomas Lilleland's Estate

Comes now the said Susanna Lilleland administratrix, and the Court being informed that the premises heretofore sold stands mortgaged to secure the payment of a certain sum of money to the Sinking Fund of the State of Indiana, Whereupon it is ordered that the said

November Term 1840

Susanna Gilleland administratrix as aforesaid pay off and satisfy said Mortgage, out of the proceeds of the sale of said premises. And for that purpose it is Ordered that Simon L. Hadley Commissioner as aforesaid pay over to the said Administratrix any Money which may be in his hands belonging to the estate, by vertue of the sale of the premises aforesaid And this estate is Continued

John Montague's Estate

Came now the administrator by Nave his Attorneys, and on his motion this estate is Continued

John Master's Estate

the Citation herein ispud against the said Lewis Martin administrator as aforesaid being returned served, more than ten days before the first day of this Term, and the said administrator being thrice Called Comes not. Wherefore it is ordered that an attachment ispue herein against the said Lewis Martin administrator as aforesaid, directed to the Sheriff of Morgan County, made returnable on the first day of the next term. ~~to answer~~ And It is further ordered that the said Lewis Martin be released from the Custody of the Sheriff (when arrested) by his entering into a recognizance with one security in the Sum of five hundred dollars each for his appearance at the next Term

November Term 1840

Ezekiel Simmons's Estate

The last will and testament of Ezekiel Simmons late of Hendricks County deceased, was this day brought into Court and proved by the oath of Nicholas Fowler one of the subscribing witnesses thereto, whose examination was reduced to writing, and it appearing to the satisfaction of the Court that the ~~testator~~ ~~Executor named in said will~~, the said Ezekiel Simmons at the time of executing said will, was of full age, and of Sound mind and Memory, And not under any ~~Restraint~~. And also that the Executor in said will named has removed without this State, and Martha Simmons the widow of said testator having refused to take upon herself the administration of the estate. It is therefore ordered that James Stockton be appointed administrator of said estate and that letters of administration ispue to the said James Stockton with the will annexed thereto. And thereupon Came the said James Stockton and filed his bond in the Sum of two Thousand dollars with Security which is approved by the Court and is duly Sworn as such administrator. And this Court is Continued

Ordered that a citation ispue against Jeremiah Poulton and Overseers of the poor of Liberty Township, returnable forthwith, requiring the said Overseers of the poor to report during the present Term whether they have, or not, bound out the infant Children of Isaac Stanton agreeably to an order of this Court made ~~at~~ at the last February Term, And if so, to whom they are bound and upon what terms &c

And Court adjourned until tomorrow morning Nine Oclock

James McClure

Tuesday Morning November the tenth Eighteen hundred and forty. Court in Session pursuant to adjournment. Present the same as yesterday.

Samuel Jones's Estate

Comes now Samuel Jones Jr Executor of said estate, and pays ben into Court the sum of twenty three dollars ($23.00) and on this motion this Cause is Continued.

David McDaniel's Estate

Comes now Job Osborn Administrator and for Cause ben shown in writing this estate is Continued.

Henry D. Carter's Estate

Comes now the administrator by Marvin his attorney, and files the Clerks receipt for fees in the Settlement of this estate amounting to $10.11 which is ordered to be paid as a preferred Claim. And also James Taylor's receipt for $2.00 the balance for making Coffin, which is also considered as a preferred Claim and ordered to be paid, which being added to the amount of Clerks fees making the sum of $13.11. and which being deducted from the amount of Cash paid into Court, towit the sum of $62.62 leaves

the sum of $49.48 the nett amount of said estate after paying off the preferred Claims. to be equally divided amongst the several Creditors of said estate in proportion to the amount of their respective Claims. The following demands heretofore filed against said estate are now inspected by the Court and allowed towit One in favor of Carter & Miller for $ 2.00
One in favor in favor of Samuel E Perriman $13.67½
" " " " James L Sivan 13.86
" " " " James T. Hadley 1.50
" " " " Wm T Matlock 2.27
" " " " Edmund Clark 1.00
" " " " Volentine B Cress 5.00
" " " " Joseph A. Wright 11.52
" " " " Benjamin M Logan 2.06
" " " " Joel Hufford 10.00
" " " " James Benton 26.25
" " " " Jeremiah Depew 11.18¾
" " " " Wm H Hazlerigg 2.00
" " " " Volentine B Cress 11.25
" " " " Thomas Shelton 11.00
" " " " E Barlows estate 11.51
Making in all the sum of $118.28
And of the above claims, it appears to the satisfaction of the Court, from receipts here on file that the said administrator has paid out the following sums of money towit To Samuel E Perriman $5 00
" James L. Sivan 5 50
" Joel Hufford 4 00
" James Benton 10 00
Making altogether the sum of $24 50
And it is ordered that the Clerk of this Court pay out the said sum of $49.48 on the above claims in the following proportion towit
To Carter & Miller the sum of $1.25
" Samuel E Perriman the sum of 3.67½

To James L. Sivan the sum of $3.17
" Lemuel T. Hadley the sum of 94
" William L. Matlock the sum of 1.12
" Edmund Clark the sum of .62½
" Valentine B. Cress the sum of 3.12½
" Joseph A. Wright the sum of 7.07½
" Benjamin M. Logan the sum of 1.28
" Joel Hufford the sum of 2.27
" James Clanton the sum of 6.10
" Jeremiah Deken the sum of 2.61
" William B. Hazlerigg the sum of 1.25
" Valentine B. Cress the sum of 2.66
" Thomas Sutton the sum of 6.8½
" the Estate of Enoch Barlow dec'd 2.82
" Which finally close and settle the affairs of said Estate.

William Glover's Estate

Came now James Glover administrator and on his motion and for cause shown this estate is Continued.

William Cox's Estate

Came now Harmon Cox Executor of said estate and files an additional Inventory and sale Bill, which are ordered to be recorded and the said Executor charged therewith. And said Executor also files a brief showing that he has administered said estate according to the said will so far as the same can be done for the present time. And further proceedings herein are Continued

Peter Cameron's Estate

Ordered that a citation issue against the said Administrator, requiring him to appear at this ~~next~~ term of this Court and settle the affairs of said estate or shew some sufficient cause why the same cannot be settled. And further proceedings herein are Continued

Benjamin S. Scott's Estate

Came now Simon T. Hadley Executor and on his motion this estate is Continued

Hiram Tomlinson's Estate

Came now Moses Tomlinson administrator of said Estate and files an additional Inventory and sale Bill which are ordered to be recorded. And this estate is Continued

William Gibson's Estate

Came now John Pritchett, administrator and files a Statement of his operations in this estate, and also Vouchers numbered from 1 to 7 both inclusive, amounting to the sum of $55.76¾ and pays here into Court the sum of $7.11½ in cash, which Came within $2.00 of covering the whole amount with which he stands charged: Making together of vouchers and cash the sum of $63.19 And further proceedings herein are Continued

John Montague's Estate } Sale of real Estate

At this time comes Joel Watts and Robert McCalment, and by their agreement, and at their request. It is ordered that the said tract of Land heretofore sold by the said Henry C. Perry, administrator, as aforesaid to the said Joel Watts, be conveyed to the said Robert McCalment upon the full payment of the purchase money by the said Robert McCalment, and for which said purchase money Judgment is now rendered in the Hendricks Circuit Court against one James Taylor the security of said Watts, and replevied by the said Robert McClamont and Alexander McCalment) And the said Joel Watts now here in open Court relinquishes to the said Robert McCalment all his right and title claim to the purchase of the land aforesaid

12

John Cline, a Lunatic

Came now Isaac N. Cline, a brother of the said John and files his petition, and also the affidavit of Archibald P. Whitt and Harrison Tolen, whereby it appears that the said John Cline is so far deprived of his reason and understanding as to be unable to govern himself or to manage his affairs. Whereupon it is Ordered that a Commission of Lunacy issue directed to Matthew Mark and William Trotter Esquires of Eel River Township, and made returnable during the present term of this Court, requiring the said Matthew Mark and William Trotter to enquire by the oath of twelve good and lawful men of said County of Hendricks, whether the said John Cline

be Compos mentis or not, and if not, whether he has been non Compos mentis from his nativity, or from any other time, and from what time, and whether ever he has been in that condition he has alienated any part of his real estate and when and to whom, and what estate real and personal yet remains, and of what value, and who are his heirs, and of what age &c And day is given

And Court adjourned until tomorrow Morning Nine O'Clock

James McClure

Wednesday Morning November the Eleventh Eighteen hundred and forty

Court in Session pursuant to adjournment

Present the same as yesterday

Lovey Briggs
Guardian

The petition of Lovey Briggs is now filed shewing that Henry Briggs died and left four infant Children under the age of fourteen years who have no person to take care of their persons and estates, towit, Harrison Briggs Paulina Briggs, Cynthia Ann Briggs and Sarah Ann Briggs, and praying that some Suitable person may be appointed to take charge of their persons and estates. Whereupon the said Lovey Briggs is appointed Guardian of the persons and estates of the said Harrison, Paulina Cynthia Ann and Sarah Jane. And the said Lovey Briggs now comes and files her bond in the sum of five hundred dollars with Philip McClain her Security which is deemed good and Sufficient by the Court And the said Lovy is Sworn as Such guardian

John Poak's
Estate

Comes now the said Sarah Poak administratrix of said estate by Nave her attorney and on this motion this estate is Continued

Betsey Wilson's
Estate

It being Suggested and proved to the Satisfaction of the Court that David Vestal Executor of this estate, has departed this life Since the granting and issuing of letters testamentary. Whereupon William Vestal is appointed administrator de bonis non with the will of the said deceased annexed to the letters of administration. And the said William Vestal now files his bond with James Sigerson and Eli Watson his Securities in the sum of five hundred dollars, which is approved by the Court and the said William Vestal is duly Sworn as such administrator

William Jenkins's
Estate

Comes now James Sigerson and Hugh P. Smith administrators and file vouchers numbered from one to fifteen amounting to One hundred and Sixty nine dollars and thirty five Cents and pays here into Court the Sum of Sixty Seven dollars, which added to the amount of vouchers makes the sum of $236.35 which sum fully covers the amount with which said administrators stand Charged. And comes now William L. Mattock and files his bill of Compaint Shewing that on the day of September 1846 Elizabeth Jenkins widow of the said William Jenkins deceased, And to whom the real and personal estate of the said William Jenkins deceased as aforesaid was bequeath during the natural life of the said Elizabeth, departed this life indebted to him the said William L. Mattock in the sum of $38.83. and praying in and by said bill that Charles Johnson and Mary Johnson to whom

the said real & personal estate of the said decedent is bequeath after the death of the said Elezabeth, may be made defendants to said bill and Compelled to answer the same under oath. And also that the said Charles and Mary) may be enjoined from having and receiving the aforesaid sum of $67.00 or any part thereof until the said bill shall be heard and determined. Whereupon it is Ordered that the said Charles Johnson and Mary Johnson be made defendants to the said bill of Complaint and Compelled to answer the same under oath, and that the State writ of Subpoena issue against the said Charles and Mary, made returnable on the first day of the next term of this Court, requiring them to appear and plead answer or demurr to said Bill. And it is further Ordered that until the final hearing and determination of the Bill of Complaint aforesaid, that the said Charles and Mary be enjoined from having and receiving the aforesaid sum of $67.00 or any part thereof. And further proceedings herein are Continued

Infant Children of Jesse Stanton

Comes now Jeremiah Poathen one of the Overseers of the Poor of Liberty Township and files a report, whereby it appears that he has agreeably to an order of this Court bound out three of the infant children of said Jesse, to the following persons, One Boy to Ezekiel Simmons, One Girl to Amos S Wills and one boy to John Carter.

Philip Direly's Estate

John Baker & Simon S. Bagley Comes now the administrators, and files their (memorial (insert) Shewing the Condition of said estate and Complaining that the property thereof is insufficient to pay and satisfy the debts and demands outstanding against the said estate, and praying that the same may be settled as an insolvent estate Whereupon it is Ordered that the filing and pendency of said Complaint of insolvency be made known to the creditors of said ~~estate~~ deceased by a publication of this order for Six weeks Successively in the Indiana Journal, a weekly Newspaper of general Circulation printed and published at Indianapolis in Marion County, and that they be informed that unless they notify the said Administrators of the existence and extent of their respective claims by filing the same, or Statement of the nature, date and description of the Contract or Instrument upon which the same may be founded, in the office of the Clerk of this Court, previous to the final distribution of the assets of the estate of the said decedant, Such Claims will be postponed in favor of the claims of more diligent creditors And further proceedings herein are Continued

Joel Osborn's Estate

Comes now the said administrator by his attorney, and the heirs of said estate, being severally Solemnly called, Come not, but make default, and thereupon the said administrator produces the Citation herein issued (hereto insert it) and the Sheriff's return thereon in these words (insert) Whereby it appears that the said heirs, to wit, the said Jane Osborn, Charles Coffin and Rachel his wife, Lydia Osborn, Ira Osborn, Elijah Osborn, Anna Osborn

Esther Osborn, and Mary Ann Osborn have been duly Notified of the filing and pendency of said Memorial, and No Cause being Shewn why the premises Mentioned and described in the said Memorial Shall not be Sold for the purposes therein Mentioned. It is therefore Ordered, adjudged and decreed that the premises mentioned and described in the said Memorial, to wit, the East half of the South East quarter of Section Eleven in Township Sixteen North of Range One West containing Eighty acres, be Sold on a credit of twelve months And that Thomas Nichols be and he is hereby Appointed a Commissioner to Sell the premises aforesaid, and that previous to offering the same for sale that the said Commissioner give the same Notice of the time and place of Sale that is required by law for the Sale of Land upon execution, and that the said Commissioner take from the purchaser bond with Security for the payment of the purchase Money, and at the same time give to the purchaser a Certificate of purchase, which Sale Shall be Subject to the Confirmation or rejection of this Court, and if the Sale So made be Confirmed by the Court, then the purchaser will and Shall be entitled to a deed of Conveyance for the premises upon the full payment of the purchase Money. And it is ordered that the said Commissioner make Report of his proceedings to the next Term of this Court, until when this estate is Continued

And Court adjourned until tomorrow Morning Nine Oclock.

James McClure

& that the matters & things therein Stated are true as alledged

A.S. #12. ats. the Judge of Milton & Elizabeth Joyce
Nov. 17th 1841
By Enoch Barlow

Thursday Morning Nine Oclock November the Twelfth Eighteen hundred and forty Court in Session pursuant to adjournment. Present the same as yesterday.

Elizabeth Joyce

A Spumpsit

Gideon Hufford & Milton L Barlow administrators of Enoch Barlow decd

Came now the parties by their Attorneys and Submit this Cause to the Court upon the proofs and allegations by them now here to the Court adduced without the intervention of a Jury. And the Court being Sufficiently advised in the premises, find for the plaintiff and assess her damages, exclusive of the Charge for work and labour at thirty eight dollars and twenty cents. And Thereupon the plaintiff enters a Nolle prosequi as to the Charge for work and labour. Wherefore it is Considered by the Court that the plaintiff recover against the said Gideon Hufford and Milton L Barlow administrators of the estate of the said Enoch Barlow deceased as aforesaid, the said Sum of Thirty eight dollars and twenty cents, for her damages so as aforesaid assessed, besides her Costs and Charges herein laid out and expended, taxed at Nine dollars and Eighty eight cents to be levied of the Goods and Chattels of the said deceased now in the hands of the said administrators to be administered.

I Thomas Nichols do hereby acknowledge myself Surety bail for the said Gideon Hufford and Milton L Barlow Administrators as aforesaid for the payment of the above Judgment interest and Costs accrued accruing & to accrue thereon in one year from the rendition. Given under my hand and seal Nov. 12th 1840.

Thos Nichols (Seal)

Elizabeth Joyce &
Melicent Joyce
vs
Gideon Hufford & Milton T. Assumpsit
Barlow Admr. of Enoch Barlow decd

Came now the plaintiffs by Nave their attorney, and file a statement in writing of their cause of action for work and labour by them done and performed for the said Enoch Barlow (now deceased) in his lifetime which statement is in these words (insert) and thereupon the said defendants administrators as aforesaid by Brenton their attorney) Come here into Court and enter their appearance herein waiving all error for the want of process and the service thereof. And by the agreement of the said parties this cause is to be submitted to the Court for determination without the intervention of a Jury at the next Term, until when this cause is Continued

Thomas O Bronaugh Guardian
Robert N. O Bronaugh

Came now the said guardian and files a receipt executed by the said Thomas N. O Bronaugh who is now over the age of twenty one years, whereby he acknowledges the receipt of a deed in fee simple for certain lots of Land executed by Moses Cavett and wife to him the said Robert in full satisfaction of the amount coming to him from the said Thomas O Bronaugh as such guardian and in discharge of all liabilities incurred by the said Thomas O Bronaugh and Moses Cavett the security of the said Thomas. and which fully settles and closes the business of said guardianship except the costs and expences thereof in this Court.

James C. Jones's Estate } Sale of real estate and petition of insolvency

Came now the said administrator, and also Simon T. Hadley Commissioner heretofore appointed by this Court to make Sale of certain real estate of which the said James C. Jones died seized, and makes and files a report shewing that on the day of November Inst, he struck off and sold the premises mentioned and described in the Memorial of said administrator, (subject to the widow dower as heretofore assigned) to James M. Grigg for the sum of One hundred and thirty dollars that being the highest and best bid made for the same, and that he took the obligation of the said James M. Grigg for the payment of the purchase money Six months after the date thereof with David Matlock security. Which said report is in these words (insert) And it being demanded of the said administrator to Shew Cause if any there be why the sale so made as aforesaid Shall not be Confirmed, saith that he knows of none. Wherefore It is Ordered adjudged and decreed that the sale of the premises aforesaid, mentioned and described as aforesaid, and so as aforesaid sold to the said James M. Grigg be in all things confirmed. And it is further ordered adjudged and decreed that the premises aforesaid and all the right, title, interest and Claim of whatsoever nature do vest in the said James M. Grigg his heirs and assigns forever, absolute (except the widows dower as aforesaid) as fully and completely as the said James C. Jones had and held the same at the time of, and immediately prior to his death. And it is further ordered the said Simon T. Hadley upon the full payment of the purchase money by the said James M. Grigg, make, execute, acknowledge and deliver to the said James M. Grigg and his heirs a deed of Conveyance for the premises aforesaid.

And the said administrator now files his memorial Shewing the amount of assets in his hands, and also the liabilities of said estate Whereby it appears that the estate is insolvent, and praying in and by said memorial for permission to settle and adjust the affairs of said estate as insolvent. Whereupon it is ordered that the filing and pendency of said Complaint of insolvency be made known to the creditors of the said deceased by a publication of this order for six weeks Successively in the Indiana Journal a public Newspaper of general Circulation printed and published at Indianapolis in Marion County and that they be informed, that unless they notify the said administrator of the existance and extent of their respective Claims, by filing the same, or a succinct Statement of the nature, date and description of the Contract or assumpsit upon which the same is founded, in the office of the Clerk of this Court, previous to the final distributions of the assets of the estate of the said decedent, such Claims will be postponed in favor of more diligent Creditors. And further proceedings herein are Continued

Thomas Hancock
Guardian

The petition of Nancy Hancock an infant over the age of fourteen years is now filed praying for permission to chose a guardian for her person and estate, which is granted and thereupon the said Nancy selects and Makes Choice of Thomas Hancock, which selection is approved by the Court and the said Thomas is appointed accordingly such guardian. And also the petition of the said Thomas Hancock is filed

shewing that Polly Hancock, George Hancock & Elizabith Hancock infant Children under fourteen years of George Hancock late of said County of Hendricks deceased, have no guardian to take care of their persons and estates. Whereupon the said Thomas Hancock is appointed guardian of the person and estates of the said Polly, George and Elizabith, and thereupon the said Thomas Hancock files his bond in the sum of twelve hundred dollars with William Hancock and Silas Bryant his securities, who are adjudged good and Sufficient, And the said Thomas is duly sworn as such guardian And further proceedings herein are Continued.

John McDaniel
vs
John Free Admr.
of William Free decd

Assumpsit Debt

Came now the parties by their attorneys and the defendant craves oyer of the writing obligatory mentioned in the plaintiffs declaration which is read to him in these words (Copy) Whereupon the said defendant files his demurrer, and the plaintiff his joinder. And the premises being seen and inspected by the Court it is Considered that the plaintiffs ~~said~~ declaration and the matters and things therein alledged are sufficient in law for the said plaintiff to have and maintain his action aforesaid against the said defendant. And because the said defendant doth not further answer the declaration aforesaid. by and upon the agreement of the parties It is Considered that the plaintiff recover against the said defendant, the administrator as aforesaid the sum of Six hundred & Eighty two dollars and thirty four cents debt and ~~dollars and~~ ~~Cents damages for the detention of said debt~~ (making together the sum of ~~Six hundred and Eighty two dollars and thirty four cents~~) besides also the costs of this suit taxed at four

dollars and Sixty One Cents to be levied of the Goods and Chattels, of the said deceased now in the hands of said administrator to be administered and the defendant in mercy &c. And Thomas Nash comes here into Court and acknowleges himself replevin bail for the said defendant for the payment of the above Judgment interest and costs accrued accruing and to accrue thereon in one year from this date.

William Free's Estate } Application for Sale of real Estate

Comes now John Free administrator of said estate and files his Memorial shewing the insufficiency of the personal estate to pay the debts and demands outstanding against the estate, and also files an Inventory and appraisement of certain real estate of which the said William Free died seized, towit the West half of the Northwest quarter of Section Twenty three in Township Sixteen North, of Range one East and also the West half of the Southwest quarter of Section fourteen in the Township aforesaid Containing in all One Hundred and Sixty Acres, and praying for an Order to sell the premises aforesaid for the payment of the debts due and owing by the estate. Whereupon it is ordered that a Citation ispue against Sarah Free widow of the deceased and Jackson Woodard, and Polly his wife, John Ray, and Sarah his wife Isaiah Free, Daniel Free, Priscilla Free, John Free, Matilda Free, Susannah Free, Claybourn Free and William Free heirs of said estate, requiring them to appear in this Court on the first day of the next to Shew Cause if and there be why the Lands aforesaid

shall not be sold and made ofets in the hands of said administrator for the payment of the debts aforesaid. and further proceedings herein are Continued

James T. Hadley vs Job Osborn Admr. of Michael Robbins decd } Assumpsit

Comes now the said James T. Hadley and introduces and proves his said account by the testimony of Read W. Dodd, who is crop examined on behalf of the defendant by Christian C. Nave Esquire. and after hearing the testimony the plaintiff demands a Judgment. to which rendition of Judgment Mr Nave objects because he says he is not of Counsel for the said defendant. Whereupon it is ordered on the Motion of the plaintiff that a Citation ispue against the said administrator requiring him to appear forthwith in this Court and Shew Cause if any there be why Judgment Shall not be rendered against him as such administrator for the amount of the account aforesaid. Which said Citation being ispued and returned Served, and the defendant the said Job Osborn administrator as aforesaid, by C. C. Nave Comes now here into Court and on his motion the Citation herein ispued is quashed. And the said defendant shewing no cause why Judgment Shall not be rendered against him, and the Court being satisfied from the evidence of the said Dodd that the account is Just and owing It is therfor considered by the Court that the plaintiff recover against the said Job Osborn administrator as aforesaid the said Sum of two dollars and fifty cents. the amount of the account aforesaid besides his Costs herein laid out and expended taxed at

dollars and cents to be levied of the goods goods and Chattels of the said estate in the hands of said administrator to be administered. And the defendant moves the Court in arrest of Judgment. Which motion is overruled.

Henry Driggs
Estate

Comes now Robert Wilson Executor of said Estate and files a report in writing and on his motion this estate is Continued.

Charles Daves
Estate

Comes now Sandy Scott and on his motion this estate is Continued.

Nathan Meredith
Guardian

Comes now said guardian and files a report and on his motion this estate is Continued

Robert Bossett's
Estate

Comes now the administrator and and on his motion this estate is continued.

And Court adjourned until tomorrow morning nine oclock James McClure

Friday Morning Nine Oclock November the Thirteenth Eighteen hundred and forty Court in Sesion pursuant to adjournment

Present the same as Yesterday

George Hedrick's Estate } Application for sale of real estate

Comes now the said George West administrator as aforesaid and files his Memorial Shewing the amount of assets in his hands, and the amount of the liabilities of said estate, whereby it appears that the personal estate is insufficient to pay the debts and demands outstanding against the same, And the said Administrator also files an Inventory and appraisement of certain real estate of which the said George Hedrick died seized. & Shewing in and by said Memorial that the deceasid died leaving a widow towit, Matilda Hedrick, and infant Children who are heirs of said estate to wit Lucretia George, Peter, Joseph, William, Matilda, Minerva Ann Elizabeth and John Hedrick. Whereon it is ordered that the widow of said deceased, and the above named heirs be cited to appear in this Court on the first day of the next term and Shew cause if any there be why the real estate in said Memorial towit the East half of the South West quarter of Section thirty in Township fifteen North, of Range two West Containing Sixty Seven Acres Or forty five Acres off of the South end of said tract Shall not be sold and made assets in the hands of said administrators for the payment of the debts aforesaid. And this estate is Continued

Jacob Keiatts
Estate

Comes now Joseph Keiatt Guardian of the said Jacob and files two Inventorys and a sale Bill of the estate of said Jacob which is ordered to be recorded and said Guardian Charged therewith. And further proceedings therein are continued.

Charles F. Leitzman's
Estate

Mary Leitzman widow of the said deceased having appeared in open Court and relinquished her right to the administration of said decedent's estate, in favor of Simon T. Hadley. Whereupon it is Ordered that Letter of administration be granted and issued to the said Simon T. Hadley and Joshua Pickett, and thereupon the said Simon T. Hadley & Joshua Pickett are duly sworn and enter into bond with security which is approved by the Court. And further proceedings therein are continued.

Absolam D. Gardner's
Estate

The Court being informed that Jod Nelson and Hutson McVay, the Executors appointed in and by the last will and testament of the said deceased have moved without this State, Whereupon it is Ordered that Letters of administration de bonis non be granted and issued to Simon T. Hadley And thereupon Comes the said Simon T. Hadley & files his bond with Security in the sum of Three Thousand dollars as is approved by the Court and the said

Simon is duly sworn as such administrator. And further proceedings therein are continued.

George Peck's
Estate

At this time came James Maccann who is one of the securities of the said Lucinda S. Peck Administratrix of said estate and files his petition stating therein that he is apprehensive of being involved and have money to pay on account of his being such security should he longer continue as such, and praying to be released from any future liability. Whereupon it is Ordered that the said Lucinda give other, additional security. Whereupon the said Lucinda enters into a bond with William Pearson her security in the sum of twelve hundred dollars which is approved by the Court. And thereupon it is Ordered that the said James Maccann be exhonorated and released from and future liability in consequence of his being such security And further proceedings therein are continued

William L. Matlock
vs
Charles Johnson &
Mary Johnson

In Chancery

Comes now the Complainant by Nave his solicitor and the said Charles Johnson and Mary Johnson personally came also and file the following agreement in writing (here insert) Wherefore it is Ordered adjudged and decreed that the said Complainant, William L. Matlock recover against the said defendants the said Charles Johnson & Mary Johnson the said sum of thirty nine dollars and sixty four Cents, the amount so confessed to be due and

owing to the said Complainant, besides also the Costs herein laid out and expended taxed at
dollar and cents
And it is ordered that Clerk of this Court pay over to the said William L. Mattock the aforesaid Sum of thirty nine dollar and sixty four cents. out of the aforesaid Sum of Sixty Seven dollars And that after retaining the costs of this suit And the expenses of the administration of the estate of the said William Jenkins, that he pay over the remainder of the said sum of Sixty Seven dollars to the said Charles Johnson and Mary Johnson

Enoch Harlan's
Estate

Letters of administration having been granted and issued by the Clerk of this Court in vacation to John Harlan, a brother of the deceased, and the proceedings and acts of the Clerk being inspected by the court, it is considered that the same be in all things confirmed and the Inventory & sale bill of this estate is presented & inspected & ordered to be recorded & further proceedings herein are continued

John Cassel's
Estate

The Clerk of this Court having granted and issued Letters of administration on the estate of the said John Cassel to Simon P. Bradley and vacation, and the proceedings of the clerk in the premises being examined and inspected by the court It is considered that the same be in all things confirmed, And the said administrator now presents to the court an Inventory and sale bill of said

& also makes proof to the satisfaction of the Court of notice of the grant of Letters of administration
estate which are ordered to be recorded, and the said administrator charged therewith. And further proceedings herein are continued

Anderson P. Pounds's
Estate

The Clerk of this Court in vacation having granted and issued letters of Administration to Lewis P. Pounds the father of the deceased, and the acts and proceedings of the Clerk being inspected and examined by the Court, it is considered by the court that the proceedings of the Clerk in the premises be in all things Confirmed, And the said administrator now presents to the Court an Inventory and and sale bill of said estate which are ordered to be recorded and this estate is Continued.

William Kelley's
Estate

The Clerk of this Court having taken proof of the lost will and testament of the said deceased and granted and issued letters testamentary to John Houston and Daniel Lining the Executors appointed in and by said Will, and the proceedings of the clerk in the premises in vacation being now examined and inspected by the court, it is considered that the same be in all things confirmed. And the said Executors now present to the court and file an Inventory and Sale Bill of said estate which is examined and ordered to be recorded. And further proceedings herein are continued

And Court adjourned until nine o'clock tomorrow morning

James M. Clur

Saturday Morning November the fourteenth in the yeer Eighteen hundred and forty.

Court in Sesion persuant to adjournment

Present the same as yesterday.

John Thompson's
Estate

Comes now Simon T. Hadley Commissioner heretofor appointed to make sale of certain real estate of the deceased, and makes and files a report, whereby it appears the said tract of Land has not been sold for want of bidders. Ordered that a citation ispue herein against the said Samuel Parker administrator requiring him to appear at the next term and report the condition of said estate, and further proceedings therein are continued.

Thomas Faulkner's
Estate

Comes now Nancy Faulkner administratrix and files an account current for settlement. Whereby she Charges herself with the sum of $159. 87½ as being the whole amount of said estate which has come into her hands to be administrated And also files vouchers numbered from one to Eight amounting to $161. 87½ which leaves a balance in favor of said administratrix of $2. and fully settles and closes the business of this estate. Whereon it is ordered that the administratrix be discharged &c

Peter Cameron's
Estate

Abner Wiley administrator of this estate having failed and refused to appear in this Court after having been duly cited so to do Whereupon it is ordered that an attachment ispue against the said Abner Wiley returnable on the first day of the next term of this court to answer for a Contempt, in failing to appear as aforesaid And it is ordered that the said Abner Wiley be required to enter into said a recognizance with one security in the sum of four hundred dollars for his appearance at the next term And further proceedings therein are Continued

Joseph Beeler
Guardian

Comes now Thomas Nichols a commissioner of this Court heretofore appointed to make sale of certain real estate belonging to the said George Mattock, and makes and files the following report (here insert) And the acts and proceedings of the said Commissioner being examined and inspected by the Court. It is Ordered adjudged and decreed that the proceedings of the said Commissioner in the premises and sale so as aforesaid by him made be in all things confirmed. And thereupon Comes Benjamin Armstrang and pays here into Court the sum of One hundred dollars and fifty Cents infull of the said three several Notes by him executed as aforesaid and in full of the purchase money for the premises by him purchased as aforesaid. Whereupon it is ordered adjudged and decreed that all the right, title interest and claim of the said George Mattock in and to the premises aforesaid, described thus. The West half of the South

East quarter of Section thirty in Township fifteen North of Range One East. also fifty acres off the North end of the West half of the North East quarter of Section thirty one in the Township and Range aforesaid, do vest in the said Benjamin Armstrong and his heirs and assigns, forever absolute. And it is further ordered that the said Thomas Nichols be and he is appointed a Commissioner of this Court, and hereby fully authorized and empowered to make, execute and acknowledge and deliver to the said Benjamin Armstrong a deed of Conveyance for the premises aforesaid, so sold as aforesaid. And now comes the said Thomas Nichols, Commissioner as aforesaid, and makes and files the following report (insert) and also files the following deed of Conveyance by him executed to the said Benjamin Armstrong for the premises aforesaid (insert) And it is further ordered that the said deed of Conveyance be handed over to the said Benjamin Armstrong as evidence and assurance of his right and title to the premises aforesaid. And the said Commissioner now files a bill for his services and expenses as such Commissioner amounting to the sum of Six dollars and twenty five cents which is allowed and ordered to be paid out of the aforesaid sum of money paid in by the Benjamin Armstrong, and the residue thereof to the said Guardian. And further proceedings herein are continued

Enoch Barlow's Estate

Comes now Joel Hufford one of the Securities of the said administrators and files his petition praying to be released from any future liability on account of being such Security. Whereupon it is ruled that the said administrators give other additional security. Whereupon the said Gideon Hufford one of the said administrators appears and enters into a bond with William Worrel and Samuel Hylton his security in the sum of four Thousand dollars. which is deemed good and sufficient by the court. Wherefore it is ordered that the said Joel Hufford be exhonorated and released from any future or further liability on account of being security as aforesaid. And the said Administrators now pay here into Court the sum of Sixty five dollars. Money belonging to said estate, and also file their Memorial Shewing the insufficiency of the personal property to pay the debts and demands outstanding against said estate, and praying for permission to sell certain real estate for the payment of the debts aforesaid, an Inventory and appraisment of which said Land is now here filed Whereupon it is ordered that Citations issue against Jane Barlow widow of said deceased, and Melton F Barlow, Abigael Angeline Barlow, John Barlow Martha Barlow Harvey R Barlow, Sarah Jane Barlow, Theophelis H Barlow Aaron M Barlow and Mary Ann Barlow, Heirs of said estate to personally be and appear in this Court on the first day of the next term to shew cause if any there be why the said real estate shall not be sold and made assets in the hands of said administrators for the payment of the debts aforesaid. And further proceedings herein are Continued.

Samuel McPheeters
Guardian

Comes now the said guardian and files a Report Shewing that he has in Hands the sum of $150.65 Money belonging to said heirs which is loaned out at ten per cent. And now comes Jesse Coffin who makes proof to the satisfaction of the Court that he has intermarried with Julian Garrett one of the heirs of the estate of Caleb Garrett deceased, and also proves by the oath of David Mattock that his said wife Julian is one of the heirs of said estate. And thereupon on motion of the said Jesse Coffin it is ruled that the said Samuel McPheeters shew cause if any he have why he shall not pay over whatever amount of Money he may have in his hands belonging to the said Jesse and Julianna. Whereupon the said Samuel appears and shews a reason that he is not, nor never has been the guardian of the said Julian, which is deemed by the Court to be a sufficient cause. Ordered therefore that the said Samuel be discharge from the rule above taken. Ordered that the said Samuel McPheeters guardian as aforesaid enter into a bond with other security for his guardianship. And comes now the said Samuel and enters into a bond with Henry S. Dodd & Robertson Pursel his security which is deemed good and sufficient. And further proceedings herein are Continued.

John Cline. Charge of Lunacy

Matthew Mark and William Trotter Esquires to whom the aforsaid Commission was directed [illegible]

requiring them to enquire by the oath of a Jury wither the said John Cline be of Sound mind or not, Now Make the following report. whereby it appears that the said John Cline is non Compos mentis. And no person appearing to qualify and take upon himself the guardianship of the said John. this cause is Continued.

Michael Robbins's
Estate

Comes now the said administrator by Nave his attorney and on his motion this estate is Continued

William A. Paugh
Guardian

Comes now said guardian and files a Report Shewing that he has never received any thing into his hands belonging to said wards and that there is no probability of his ever receiving any thing Whereon it is ordered that the said William A. Paugh be discharged from his said guardianships.

And Court Adjourned

Signed November 4th 1840

James McClure

Vacation

Be it remembered that on this 16th day of December 1840 Letters of administration on the estate of James O. Robard late of the County of Hendricks and State of Indiana, deceased, are granted and issued by me the undersigned Clerk of the Probate Court of said County, unto Thomas Newham, he having previous to said grant filed the renunciation of the widow ~~of said~~ xxxxxxx of said deceased and also his bond with Security and the said Thomas Newham is now by me duly sworn as administrator of said estate

Attest J. M. Gregg clerk

February Term 1841

At a Term of the Hendricks Probate Court begun and held at the Court House in Danville on Eighth day of February in the year Eighteen Hundred and forty One Present the Honorable James McClure Judge of Said Court

Benjamin Dentz's
Estate

On Motion this estate is Continued until the next Term

Thomas Gilliland's
Estate

On motion to the Court by the administratrix this estate is Continued.

Michael Robbins
Estate

This Estate is on Motion of the administrator Continued until the next term.

John Montague's
Estate

On Motions to the Court this estate is Continued until the next term.

John Leach's
Estate

This ~~estate~~ estate is Continued until the next term, on the motion of the administrator

William Jenkins's
Estate

On motion of the administrators this estate is Continued until the next term.

Pepe Reagan's
Estate

Comes now the administrators and on their motion this Estate is Continued.

David McDaniel
Estate

On motion to the Court this estate is Continued until the next term

William Free's
Estate

On motion this estate is Continued And it is Ordered that an alias Citation issue against the heirs of the deceased agreeably to the order of this Court made at the last term

William Glover's
Estate

Comes the administrator, and for reason shown to the Court this estate is Continued.

Josephus C. H. Simmons
Infant

This day Came into Court Josephus Simmons infant son of Ezekiel Simmons and made Choice of Sandy Scott as guardian of his person and estate, and thereupon the said Sandy Scott appeared in open Court and accepted said appointment and gave bond with security to the acceptance of the Court in the penalty of One Thousand dollars, Conditioned as the law directs and was duly sworn as such guardian

Recorded

William Gibson's
Estate

Comes now John Pritchett administrator and pays him into Court the sum of two dollars. it being the balance in full, with said administrator Stands Charged. and fully settles the affairs of the said estate. Ordered that the said John Pritchett as such administrator be discharged.

And Court adjourned until tomorrow Morning Nine Oclock

James McClure

February Term 1841

Tuesday Morning February Ninth in the year Eighteen hundred and forty one. Court in Sesion Pursuant to adjournment Present the same as yesterday.

Samuel Jones's Estate

Comes now Samuel Jones Jr Executor and pays him into Court the sum of forty dollars which is ordered to be placed to the Credit of said and also files the receipt of Polly Jones widow of the amount for $100. worth of property Executor. And for Cause Shon to the Court here on writing this estate is Continued.

State of Indiana vs Lewis Martin — Attachment for Contempt

Comes now the said Lewis Martin and the Court and the Court being sufficiently advised in the premises, it is ordered that the said Lewis Martin be released upon the payment of the Costs herein accrued taxed at five dollars and Seven Cents. And thereupon Thomas Nichols Comes into Court and acknowledges himself replevin bail for the payment of said costs in three Months.

John Masters's Estate

At this time Comes Lewis Martin Administrator and files an account current whereby he charges himself with $404.38. that being the whole amount of said estate. And also Claims a Credit for divers sums of money by him paid out, and for which he files vouchers which

are examined and rejected by the Court numbered from one to twelve both inclusive. Amounting to the sum of $326.65 which is ordered to be placed to the Credit of said administrator. Leving in the hands of said administrator a balance yet unaccounted for of $77.73½ exclusive of interest And further proceedings herein are on motion of said administrator Continued until the next Term.

Charles Daves Estate

Comes now Sandy Scott administrator and files an exhibit of his opperations as such administrator, accompanied by vouchers corresponding with said exhibit whereby he charges himself as such administrator with the sum of $861.25 that being the whole amount of said estate which has come into his hands as such administrator. And the vouchers here filed being examined and recieved by the Court, it appears that the said administrator has paid out the sum of $861.01½ which sum is ordered to be placed to his credit, leving a balance yet in his hands of twenty & a half Cents. which he pays him into Court, and which finally Closes and settles this estate. Ordered that said administrator be discharged.

Enoch O. Parlow's Estate

Comes now the administrator and file an additional Inventory and Sale Bill which are examined and ordered to be recorded. and for Cause Shown to the Court further proceedings herein are Continued.

State of Indiana
vs
Abner Wiley
Attachment for Contempt

Comes now the said Abner Wiley and the Court being sufficiently advised in the premiss; it is ordered that the said Abner Wiley pay the Costs of this proceeding, and that until the same be paid or replevied, that he remain in the custody of the Sheriff

Peter Cameron's
Estate

Comes now Abner Wiley administrator and for cause here shown in writing this estate is Continued.

Benjamin S. Scott's
Estate

Comes now Simeon T. Hadley Executor and for cause here shown in writing this estate is continued

Isaac Deegan's
Estate

For cause shown to the Court this estate is continued;

James C. Jones's
Estate

Comes now Daniel D. Hambleton administrator and files the affidavit of Simeon T. Hadley (Here insert) whereby it appears to the satisfaction of the Court that notice of the insolvency of this estate has been given by six successive publications in the Indiana Journal pursuant to the order of this

Court. And further proceedings herein are Continued.

John Pickett's
Estate

Comes now the administrator and for cause here shown in writing this estate is Continued.

William King's
Estate

Comes now the administrator and on their motion and for cause here in writing shown this estate is Continued.

George Kedrick's
Estate

On motion this estate is Continued until the next term. And it is ordered that a Citation issue against the heirs agreeably to the order of this Court made at the last term.

Joel Osborn's
Estate

Comes now Thomas Nichols a Commissioner appointed at the last term of this Court to sell a certain tract of Land of which the deceased died seized and makes and files a report in these words (insert) And the Court being sufficiently advised in the premises It is ordered adjudged and decreed that the sale so made as aforesaid to the said Wesley Sears be in all things confirmed.

William Holt's
Estate

Irene Holt widow of William Holt deceased having relinquished her right to the administration of said decedents estate, in favor of Edmund Clark. Whereupon it is ordered that letters of administration be granted to the said Edmund Clark, and thereupon the said Edmund Clark files his bond in the penalty of Six Hundred dollars with security to the acceptance of the Court and is duly sworn as such administrator

William Farmer's
Estate

Eli Newlin and Jesse Blair who produced in Court at the last term the last will and testament of William Farmer and proved the said will by one of the subscribing witnesses according to law, and who are the Executors named and appointed in and by said will, now file their bond in the penalty of fifteen Hundred dollars with security to the acceptance of the Court, and are duly affirmed as such Executors. Whereupon it is ordered that letters testamentary be granted and issued to the said Eli and Jesse empowering them to administer said estate according to the said will

And Court adjourned until tomorrow morning nine o'clock

James McClure

Wednesday Morning February the tenth in the year Eighteen Hundred and forty one.

Court in Session pursuant to adjournment

Present the same as yesterday

Margaret J Hamm
Infant

Comes now Denton L. Hadley a Commissioner heretofore appointed to sell certain Land belonging to said infant and reports that said tract has not been sold. Whereupon it is ordered that the order heretofore made authorizing the sale of said Land be and the same is hereby revoked. And it is further ordered that the guardian of said infant pay to the said Hadley for his services as such Commissioner the sum of five dollars and further proceedings herein are continued.

Philip Pinley's
Estate

Comes now the said administrators and file the affidavit of Henry A. Marvin (in these words in the usual) whereby it appears that notice of the insolvency of said estate has been given by publication in the Indiana Journal a public Newspaper, pursuant to the order of this Court. And for cause here shown by the administrators in writing this estate is continued.

Thomas P. Riggs
Estate

For cause here shown to the Court in writing, this estate is continued until the next term

William M. Hamer's
Estate

Came now the administrators and for cause here shewn to the Court in writing this estate is Continued.

Charles S. Lietzman's
Estate

Came now Joshua Pickett and Linnan S. Hadley administrators of said estate and file an Inventory and Sale Bill of said estate which are examind and ordred to be recorded. And also make and file proof to the satisfaction of the Court that Notice of the taking out of Letters of administration has been given by publication in the Indiana Journal a public Newspaper Printed and published at Indianapolis and further proceedings herein are Continued.

And Court adjourned until tomorrow morning Nine Oclock

James McClure

Thursday morning February the Eleventh in the year Eighteen hundred and forty one Court in Sesion pursuant to adjournment Present the same as yesterday.

Joseph Gossett
Guardian

Comes now Joseph Gossett and Samuel Gossett and file their petitions praying for the appointment of a Guardian of the Estate of Sarah Jane Gosset infant daughter of Robert Gosset who is under the age of fourteen years Whereupon the said Joseph Gossett is appointed such guardian and now files his bond to the acceptance of the Court and is duly Sworn as such guardian

John Smith's
Estate

Came now Hugh S. Smith administrator and files an account Current whereby he Charges himself with the sum of $269.15¼ as being the whole amount of said estate. and also Claims a credit for divers sums of money by him paid out. and for which he produces vouchers to the Satisfaction of the Court amounting to $270.51 Shewing a balance in favor of said administrator of $1.37½ and fully Closes and settles the affairs of said estate. Ordered that said administrator be discharged

William Cox's
Estate

Comes Now William Moffitt and files the following power of attorney executed by William and Mary Moffitt heirs of said estate towit "State of North Carolina, Randolph County. Know all men by these presents, that we William Moffitt and Mary Moffitt wife of said William, and sister of the late William Cox of Indiana, have Constituted and appointed and by these presents do Constitute and appoint William Moffitt junior (Son of David Moffitt) our true and lawful attorney for us and in our names to demand and receive from the Executor or Executors of the last Will and Testament of the said William Cox, dec'd the Sum of two hundred and thirty Seven dollars in part of the legacy due us under the Will and testament aforesaid, And the said William Moffitt, junior, having paid to us the Sum of two hundred and thirty Seven dollars, we do hereby authorize and empower him when he shall receive the above Sum from the Executor or Executors aforesaid to retain the Same and apply it to his own use. In Witness whereof we have hereunto Set our hands and Seals this 29th day of July 1840.
Test. I. North.

William Moffitt Seal
Mary her X mark Moffitt Seal

Recorded

North Carolina, Randolph County } ss
This day personally appeared before me James Elliott, one of the Justices of the peace in and for said County, William Moffitt and his wife Mary Moffitt, who acknowledged the foregoing Power of Attorney to be their act and deed for the purposes therein Set forth. In witness whereof I have hereunto Set my hand at Asheboro this 29th of July, 1840. J. Elliott J. P.
North Carolina, Randolph County. I, Hugh McCain Clerk of the Court of Pleas & Quarter Sessions in and for said County, do hereby Certify that James Elliott, who

has Signed the foregoing Certificate, is a Justice of the Peace of said County, and that full faith & credit are due to his official acts as such, and that the Signature thereto, purporting to be his, is genuine. In witness whereof I have hereunto Set my hand and affixed the Seal of my office, this 29th day of July 1840.
Seal
Hugh McCain C.C."

Recorded

And also produce and make proof to the satisfaction of the Court that the said William and Mary Moffitt the Makers of said power of attorney are the same identical individuals named, and to whom a certain Sum of Money is bequeath in and by the said last will and testament of the said William Cox deceased.

Absolam P. Gardner's
Estate

Came now Simon S. Hadley administrator and files an inventory & appraisement of the real Estate of the decedent which is ordered to be recorded And it is ordered that said administrator make Sale of the said tract of Land according to the provisions of the last will and testament of the said deceased. And further proceedings herein are continued

John Thompson's
Estate

Came now Samuel C. Parker Esquire administrator and pays into Court thirty three dollars and fifty Cents. Ordered that the same be placed to the Credit of said administrator. and further proceedings herein are Continued. And it is ordered that the said Samuel C. Parker pay the Costs of the Citation herein ispend to-wit one dollar & Seventy two Cents.

James D. Roberds
Estate

The Clerk of this Court having granted and issued letters of administration on the estate of the said James D. Roberds in vacation to Thomas Newhams and the same being examined by the Court it is ordered and adjudged that the proceedings of the Clerk in the premises be in all things confirmed. And said administrator now files an inventory which is ordered to be recorded & this estate is Continued

John Wilkins's
Estate

An Inventory & Sale Bill is now presented to the Court examined and Ordered to be recorded and further proceedings herein are Continued

Anderson Pounds's
Estate

a Sale Bill of the effects of said estate is now presented to the Court, examined and ordered to be recorded. And further proceedings herein are Continued.

Ezekiel Simmons's
Estate

An Inventory and a Sale Bill of the goods and Chattels of the said deceased is now presented to the Court, examined and ordered to be recorded and this estate is Continued.

Recorded

David Parker's
Estate

Came now the said John Lawrence administrator and files an Inventory & Sale bill which are examined and ordered to be recorded and further proceedings herein are Continued

And Court adjourned

James McClure

Vacation Entry

Recorded

Amos Parnell's Estate

Be it remembered that on this 26th day of February 1841 Letters of administration on the Estate of Amos Parnell deceased is granted by the undersigned Clerk of the probate Court of Hendricks County to Jeremiah Johnson and the said Jeremiah now files his bond and is sworn as such administrator

Attest J. M. Gregg clk

William Thornburgh's Estate

Be it remembered that on this 26th day of February 1841 Letters of administration on the estate of William Thornburgh late of Hendricks County deceased is granted & ispued by the undersigned Clerk of the probate Court of said County to Samuel Spray the said Samuel having first produced the renunciation of the widow of the deceased, and filed his bond with security. And the said Samuel is duly sworn as such administrator

Attest J. M. Gregg clk

Philip R. Ellis Estate

Be it remembered that on this 9th day of April in the year 1841 Letters of administration on the estate of Philip R. Ellis late of Hendricks County deceased is granted and ispued by the undersigned Clerk of the probate Court of said County to James Green he having first produced and filed the renunciation of the widow of the deceased & and filed his bond with good & sufficient Security And the said James Green is duly sworn as such administrator

Attest J. M. Gregg clk

May Term 1841

At a Term of the Hendricks Probate Court begun and held at the Court House in Danville on Monday the tenth day of May in the year of our Lord One Thousand Eight hundred and forty one.

Present the Honorable James McClure sole Judge of said Court.

Jonathan D. Parks
Guardian of Maria Darnall

Comes now the said Guardian and files a report, shewing that he has now in his hands, including interest up to this time the sum of seven hundred and thirty seven dollars and forty cents $737.40 of money belonging to his said ward, which is loaned at ten per cent. And also files an account and claim for his services as such guardian, amounting to fourteen dollars and fifty cents $14.50 which is allowed by the court as a full compensation for his services up to this time. And further proceedings herein are Continued.

John Thompson's
Estate

Comes now Samuel Parker administrator by Nave his attorney, and for cause here Shewn in writing this estate is Continued.

Betsey Wilson's
Estate

Comes now the administrator by Nave his attorney and on his motion this estate is Continued

May Term 1841

John Montague's
Estate

On Motion of Nave attorney for the administrator herein this estate is Continued.

John Peach's
Estate

Comes now the administrator, and for cause here shewn this estate is Continued

David McDaniel's
Estate

Comes now Job Osborn administrator and for cause shewn in writing and on his motion, this estate is Continued.

William Free's
Estate

Application to sell real Estate

At this time comes the administrator by Bruton his attorney, and Shews to the court process herein issued and the sheriffs return thereon, whereby it appears that Sarah Free the widow of the said deceased, Sarah Ray, Daniel Free, Priscilla Free, John Free, Matilda Free, Susannah Free, Claiborn Free, and William Free heirs of the estate of the deceased have been duly notified by citation of the application to sell the real estate aforesaid, and that there is a return of not found as to Jackson Woodard and Polly his wife, Isaiah Free and John Ray. Whereupon the said Sarah Free the widow of the deceased and Sarah Ray were three called but comes nor doth they in any manner answer the memorial aforesaid. It is therefore Ordered adjudged and decreed that the said Memorial aforesaid as to the said Sarah Free and Sarah Ray be taken as confessed and held to be true. And on motion

of said administrator. Simon T. Hadley is appointed a guardian ad litem for the said infant heirs David, Priscilla, John, Matilda, Susannah, Claiborn and William to answer the Memorial aforesaid. And it is ordered that a citation issue to the Sheriff of Hendricks County against the said Solomon Ray returnable to the next term of this Court. And it is further Ordered that the said Jackson Woodard & Polly his wife and Isaiah Free, be Notified of the filing and pendency of said Memorial by publication, in the Indiana Journal a public Newspaper of general circulation printed and published at Indianapolis Notifying the said Jackson Woodard and Polly his wife and Isaiah Free ~~that will~~ the, to appear in this Court on the first day of the next term ~~and show~~ & Show Cause if any they have, why the said real Estate shall not be sold and ~~ordered to be sold~~ Memorial ~~the same will be heard and determined as therein desired~~ made a pets in the hands of said administrator for the discharge of the debts aforesaid, due and owing by said estate as stated in said memorial And further proceedings herein are Continued

Henry Briggs' Estate

Comes now Robert Wilson Executor and pays into Court thirty Seven dollars and Seventy five Cents of Money belonging to said Estate. Ordered that he receive a Credit therefor And further proceedings herein are Continued

Isaac Dergan's Estate

Comes now the said administrator and on his motion, and for cause here shown in writing this estate is Continued

Richard Gentry's Estate

Grant of Letters of administration

Jane Gentry the widow of the said Richard Gentry dec.d having relinquished her right to letters of administration of said estate in favor of William H. Darnall and Martin Gentry. It is therefore Ordered that letters of administration be granted and issued to the said William H. Darnall and Martin Gentry. And thereupon Come the said William H. Darnall and Martin Gentry into open Court and file their bond in the sum of Eight hundred dollars, with Security which is deemed good and Sufficient by the Court. and are duly Sworn as Administrators of said estate. And further proceedings herein are Continued.

John C. Faulkner's Estate

Comes now Edward Strange administrator and on his motion and for Cause here in writing shown. this estate is Continued.

And Court adjourned until Nine O'clock tomorrow Morning

James McClure

May Sam 1841

Tuesday Morning Nine Oclock May the Eleventh Eighteen Hundred and forty one. Present the same as yesterday.

Michael Robbins' Estate

Comes Now Job Osborn administrator

Pasel Yount Guardian of the heirs of William Yount decd

Comes now the said guardian and Makes and files a report together with receipts from Benjamin Yount & Benjamin Crabb in full of their distributive share of the estate of the said William Yount. And the said Guardian also Shews and Charges himself as guardian of his said Ward William Yount with the sum of Eleven hundred and ninety dollars and Ninety three cts ($1190.93) it being the nett amount belonging to said ward (after deducting expenses and Charges) now in the hands of said guardian And further proceedings herein are Continued

John Plasters Estate

It appearing to the Satisfaction of the Court that Lewis Mastin the administrator of this estate, has left the State of Indiana and gone to parts unknown to the Court, leaving this estate in an unsettled condition. It is therefore Ordered that the letter of Administration herein granted and ispued to the said Lewis Mastin be and the same is hereby revoked. And it is further ordered that Letters of Administration herein be granted and ispued to

William Plaster. And now Comes here into open Court the said William Plaster and files his bond with security which deemd good and suffecient and is Sworn as Such administrator. and further proceedings herein are Continued

Levi N. Varntz's Estate

Comes now Jeremiah Defrees administrator and on his motion and for Cause here Shown in writing this Estate is Continued.

James Campbell's Estate

Comes now Jeremiah Hadley Administrator and files his bill of Complaint Shewing thereby to the Satisfaction of the Court that the whole propety of the said deceasd, which has been made opets in the hands of the said administrator is insuffuient to Satisfy the debts and demands outstanding against the same. And praying for permission to settle said estate as insolvent It is therefore Ordered that the creditors of said estate be notified of the filing and pendency of said Complaint of insolvency by publication for six weeks Successively in the Indiana Journal, a public Newspaper of genral Circulation printed and published at Indianapolis in Marion County, And that unless the Creditors notify the said administrator of the existance and extent of their respective Claims, by filing the same, or a Statement of the nature, description and date of the Contract or Assumpsit upon which the same is founded, in the office of the Clerk of this Court previous to the final distribution of the opets of this estate, of Such Claims will be postponed in favor of the Claims of more diligent Creditors. And this estate is Continued.

May Term 1841

William M. Hamer's
Estate

Came now the administrators and on their motion and for cause here shewn in writing this estate is continued.

Charles F. Fitzman
Estate

Come now Simion J. Hadley and Joshua Pickett administrators and file an Inventory and appraisment of Certain real estate belonging to said estate, and also their memorial shewing the insufficiency of the personal property to pay and satisfy the debts owing by said estate, and praying for an Order of sale of the real estate aforesaid to wit Lots numbred One, Two, three and Four in Block Seventeen in the Town of Danville, and that the proceeds thereof be made assets for the payment of the debts aforesaid. And also shewing in and by said memorial that the said decedent at the time of his death held the Lots aforesaid by title bond from James J. Hadley, in whom the legal title is now vested, and that said decedant departed this life leaving a widow to wit Mary Fitzman, and the following named infant children under the age of twenty one years, to wit, Anna Catherine, Susan, John Charles, Theodore Deron, Charles Frederick, & William Frederick all of whom together with the said James J. Hadley, the said administrators praying be made defendants to this said memorial and required to answer the same and shew cause if any they have why the said Lots shall not be sold for the purposes aforesaid. It is therefore Ordered that a Subpoena issue requiring the said James J. Hadley and Mary Fitzman to appear in this

Court on the first day of the next Term, and shew cause if any they have why the said Lots shall not be sold and made assets in the hands of the administrators for the discharge of the debts aforesaid. And on motion of the said administrators Samuel D Denton is appointed a guardian ad litem for the infants aforesaid to answer the said Memorial. And further proceedings herein are Continued.

John Clampett's
Estate

Catherine Clampett the widow of the John Clampett deceased having relinquished her right to administration of the estate of the said decedant in favor of David Walker It is therefore ordered that letters of administration be granted and issued to the said David Walker. And now comes here into open Court the said David Walker and files his bond in the sum of Eight hundred dollars with security which is deemed good and sufficient, and the said David is now duly Sworn as such administrator. And this State is Continued

John Hollingsworth
Samuel Gossett & Thomas Gossett
Admin's of Robert C. Gossett Dec'd
} Assumpsit

Come now the parties and present to the Court the following opinion & Judgment of the Supreme Court which is ordered to be recorded to wit:

State of Indiana } November Term 1840
Supreme Court } Wednesday November the 25th 1840

Present the Honorable Isaac Blackford
Charles Dewey &
Jeremiah Sullivan
Judges

Samuel Gofatt & Thomas Gofatt
Admrs of Robert C. Gofatt dec'd
vs
John Hollingsworth

In Error to the
Hendricks Probate Court

At this time com the parties by their counsel & the Court being fully advised of the premises give the following opinion and judgment pronounced by Judge Sullivan. Assumpsit by Hollingsworth against the Plaintiffs in error in the Hendricks Probate. Plea Non Assumpsit. Tried by consent of parties was tried by the Court & judgment was given for the plaintiff. During the trial objections were made by the defendants below to the competency of a part of the testimony & to the sufficiency of the residue all of which were overruled by the Court & the defendants excepted. The action was founded on an account for money paid & work done and performed for the intestate in his lifetime. It was proven that the plaintiff in the Court below paid to the intestate R. Gofatt a short time before his death a sum of money which Gofatt agreed to credit on a note he held on Hollingsworth. The payment was not endorsed on the note at the time it was made, but there was no proof that it had not been subsequently credited, nor was there any proof that the amount had been again demanded of Hollingsworth. The object of the present suit was in part to recover back the money so paid. On this testimony the Court should not have given judgment for the plaintiff. The intestate receiving the money in part payment of a debt justly due to him & whether he endorsed the amount so paid on the note or not, it was a payment of which the plaintiff can at the proper time avail himself. A witness notwithstanding the defendants objected to the testimony was permitted to prove that Hollingsworth the plaintiff in the Court below told him that he had paid to R. Gofatt in his lifetime twenty dollars for which he had not received a credit on his note. This was so manifestly wrong that if there no other error in the record it would be sufficient of itself to reverse the Judgment.
On the Count for work and labor there was no testimony. A witness

swore that he (the witness) performed certain labor for the intestate, but there was no testimony to show that Hollingsworth had a right to sue for the labor so performed. It is therefore considered by the Court that the judgment of Probate Court be reversed, and all the proceedings subsequent to the issue be set aside, at the costs of the defendant in error & that this cause be remanded to said ——— for another trial herein, all which is ordered to be certified to said Court.
The State of Indiana ss
I Henry P. Coburn Clerk of said Supreme Court do hereby certify that the foregoing is a full, true & complete copy of the Opinion & Judgment of said Court in the above entitled cause
In testimony whereof I have hereto subscribed my name and affixed the Seal of said Court at Indianapolis this 9th day of February A.D. 1841
H. P. Coburn Clk."

And Court adjourned until Eight o'clock tomorrow morning

James McClure

Wednesday Morning Nine Oclock May the twelfth in the year Eighteen hundred and forty One

Court in Session pursuant to adjournment Present the same as yesterday

Amos Harrall's Estate

Comes now the said Executors and make and file a report whereby the charge themselves with the sum of Six hundred and ninety six dollar and forty eight cents $696.48 and credit themselves with the sum of Six hundred and nine dollar and ninety four and three fourth cents $609.94¾ Shewing a balance in their hands, of Eighty six dollar and fifty three and one fourth cents $86.53¼ which is loaned at ten per cent interest. And which settles up the amount of the first sale of personal property and the Land sale. And this estate is Continued

Elizabeth Joyce &
Milicent Joyce
vs
Gideon Mufford &
Milton T Barlow Admr. of
Enoch Barlow dcd

Assumpsit

Come now the parties by their attorneys and submit the cause to the Court without the intervention of a Jury. And the proofs being heard and understood and the Court sufficiently advised in the premises do find for the plaintiffs and assess their damages at One hundred and twelve dollars and fifty Cent. It is therefore considered by the Court that the plaintiffs recover against the said Gideon Mufford and Milton T Barlow administrators as aforesaid the said sum of One hundred and twelve dollars and fifty Cents the Amount &c. as aforesaid assessed besides also their Costs and Charges herein laid out and expended taxed at twenty nine dollar and twenty cents to be levied of the goods and Chattels now in the hands of the said administrators belonging to the estate of the Enoch Barlow to be administered.

Michael Robbins' Estate

Comes now Job Osborn Administrator of said estate and files his Memorial in these words (insert) And also the following Inventory & appraisement of certain real estate (insert) And thereupon comes the said Rebecca Robbins the widow of the deceased, here into open Court and confesses the matters and things contained in said Memorial as therein set forth to be true, and says she knows of no cause why the premises mentioned in the said Memorial shall not be sold for the purpose therein mentioned. And on motion to the Court Simon J. Hadley is appointed a guardian ad litem for the said infant Children Christopher, William & Michael. And thereupon comes the said Simon J. Hadley guardian as aforesaid and files the answers of said infants in these words towit (insert) It is therefore ordered adjudged & decreed that the said administrator sell ~~and &c~~ on a Credit of three months so much of the said Lands towit the said North West quarter of the North East quarter of Section Twenty eight (28) and the South East quarter of the South West quarter of Section twenty one (21) in Township Sixteen (16) North of Range two (2) West as will

be sufficient to pay and satisfy all the debts and demands outstanding against said estate, first giving Notice of the time and place of sale in the same manner as is required for the sale of real estate upon execution. And it is Ordered that the administrator at the time of sale ~~shall~~ take bond of the purchaser of said Land with good security for the payment of the purchase money, and give to the purchaser a Certificate of purchase stating therein that the purchaser will be entitled to a deed of Conveyance upon the payment of the purchase money &c. And this estate is Continued

Absalom D. Gardners
Estate

Comes now Simon P. Hadley administrator of said estate and files the following report of the Sale of real estate Viz (insert). And the premises being seen and understood It is Ordered Adjudged and decreed that the sale so made as aforesaid by the said administrator of the ~~said~~ tract of Land aforesaid to the said Moses Crawford be in all things Confirmed. And the said administrator also files a report Shewing that he has sold & disposed of the rents of the aforesaid premises for the sum of fifty dollars Eighty seven cents. Ordered that he be charged therewith And this estate is Continued

May Term A.D. 1841

Lewis Crum
vs
Joel Nelson & Hudson McVey
Executors of the Absalom B. Gardner Dec'd
} In Error to the Hendricks Probate Court

Come now the parties by their attorneys and file the following opinion and judgment of the Hendricks Circuit Court which is ordered to be recorded & Viz:

State of Indiana } In the Hendricks Circuit Court
Hendricks County } April Term Anno Domini 1841
Thursday April 8th A.D. 1841
Present, the Honorable James Morrison President
Gideon Willson Associate
James Maccoun Associate
} Judges

Lewis Crum
vs
Joel Nelson & Hudson McVey
Executors of Absalom B. Gardner Dec'd

Come now the parties by their Attorneys and the Court being sufficiently advised in the premises give the following opinion and judgment pronounced by Judge Morrison. Viz: "The plaintiff in error sued the defendant in error in the Probate Court of Hendricks County, on a writing obligatory for the payment of D$ 25.00 executed by the defendants testator and his wife dated 11 January 1823. The defendant after craving oyer of the instrument, filed two pleas of fraud to the action, the one general, the other Special; to each of which issue was taken, and upon the trial, verdict was for the defts in error, and judgment was rendered accordingly. The testimony is spread upon the record by Bill of exceptions. The Special plea is defectively drawn, and would, we think have been bad on general Demurrer. Taking it however as it stands; the facts which it discloses and those adduced in its support by the testimony are altogether dissimilar in every essential feature. The plea in substance sets forth that Gardner being in great need of money, the plaintiff agreed to advance him the amount mentioned in the note, with the understanding and agreement that it was not to be collected from Gardner, but that it was merely to be evidence to the Executors of Christian C. Crum's Estate, that Gardner

May Term 1841

and his wife had received so much in part of a legacy due them from that Estate, and to enable a correct settlement with the Executors in regard to the legacy. Although there is some verbiage in the plea about "false & fraudulent representations" made by the plaintiff, yet wherein they consist is difficult to discover in the plea itself, and much more so to find from the testimony. The depositions do not sustain that plea nor do they sustain the general plea. A general plea of "fraud covin and false representations" is good, but such defence only relates to fraud covin & false representation in the execution of the writing obligatory, and not to the consideration & inducement to it. 3 Blackford's Repts. p. 170. The depositions show that the witnesses were not present when the instrument was made. The General plea is therefore out of the question, as regards any testimony in its support. The Special plea is not only bad in law and unsupported by the testimony, but is contradicted by the defendants own testimony witnessed. The depositions of the Executors of Christian Crum's Estate show the whole transaction — that the plaintiff as their agent received the money to pay to Gardner & wife on account of their legacy:- that in doing so he took the obligation in question to indemnify himself and to satisfy the executors that he had acquitted himself of the trust- he having at the time he undertook the agency given to the Executors a similar obligation: that he afterwards delivered this obligation of Gardner & wife to the Executors thereby redeeming and taking up his own: that the plaintiff had not only no claim to this obligation but knows not even whence it is; and one of the defendants deponents, Stone, accounts for the existence of this suit, showing that upon a final settlement with Christian Crum's Executors the obligation was passed over to one John Garner who was appointed to settle the estate as evidence of the payment of so much to Gardner and wife by the Executors. This state of facts is surely most convincing that nothing like fraud or misrepresentation can be imputed to the nominal plaintiff, for in that light only can we view him: and we have no hesitancy in pronouncing his conduct in the whole matter not only unsuspicious, but fair open and honest; and as it is only pleaded and not that the Special — is designed or calculated to affect, it follows that the Verdict and judgment of the Probate Court are erroneous and must be reversed. The plaintiff upon various other points for the reversal of the judgment, and as the cause must be remanded to the Probate

May Term 1841

Court for another trial, those of them that are deemed of any importance will be noticed. The plaintiffs Counsel moved to suppress the depositions for several reasons, amongst which are the following, viz: Because there being a subscribing witness to the obligation he was the best and only competent witness as to the consideration, if his testimony could be procured. We think the plaintiff is in this mistaken. The rule as we understand it is peculiarly applicable to the proof of instruments. There was in this case no controversy in regard to the execution of the obligation. It was the Plaintiffs cause of action, and its execution was admitted by the pleadings, and any other disinterested witness was as competent as the subscribing one to prove the consideration. Another objection to the admissibility of the depositions is, that they are not properly authenticated. They are properly certified by a Justice of the Peace of the the County of Highland in the State of Ohio, and if a Dedimus was duly issued either to the justice by name, or "to any Justice of the Peace of that County and State", it would be sufficient according to the rule on that subject recognized as we understand by the Supreme Court: and in the absence of any thing in the Record to the contrary, we are bound to presume there was such dedimus. It is also contended that the witnesses were inconsistent on the score of Interest, but we can see none. Whilst the Court are therefore bound by the rules of pleadings and evidence to reverse this judgment, they regret the necessity of doing so: for it is quite manifest from the testimony that there is no meritorious cause of action against the defendants, But as every wrong must be redressed by the appropriate remedy, so must every pleading and every material allegation be sustained by the appropriate proofs. It is therefore considered by the Court, that the Judgment of the said Probate Court be reversed, and the proceedings to, and including the Verdict be set aside, at the costs of the defendants in error; and that the cause be remanded to said Probate Court, with instructions to give the defendants leave to amend their Special plea, and for further proceedings to be had, not inconsistent with this opinion. Therefore it is considered that the said Lewis Crum recover against the said Joel Nelson and Hudson McVey Executors as aforesaid his costs and charges herein laid out and expended, taxed at

dollars and cents, to be levied of the goods

and chattels which were of the said Absalom B. Gardner at the time of his death; and in the hands of the said Executors yet to be administered.

State of Indiana
Hendricks County } I, James M Gregg Clerk of said Hendricks Circuit Court do hereby Certify that the foregoing is a full, true, and complete copy of the Opinion and Judgment of said Court in the above entitled Cause.

In testimony whereof I have hereto subscribed my name and affixed the Seal of said Court at Danville this 12th day of May A.D. 1841.

J. M Gregg Clerk H.C.C.
By Wm. Chenoweth Dep't"

And the said plaintiff failing further to prosecute his action aforesaid against the said defendant. It is therefore Considered that the said defendants go hence, and recover against the plaintiffs their Costs and Charges herein laid out and expended taxed dollars and cents

Henry Vickrey Guardian
of Cyprus Vickrey

The said Cyprus Vickrey an infant over fourteen years of age Comes now here into open Court, and being permitted to choose a guardian of his estate, selects and Chooses Henry Vickrey which Choice is approved by the Court and the said Henry Vickrey is appointed such guardian. And the said Henry Comes here into Court and files his bond with security to the acceptance of the Court and is duly sworn as such guardian And further proceedings herein are Continued.

Pepe Pagan's Estate

Came now Reason Pagan & Hezekiah Sanders administrators of said estate, and file an exhibit of their opperations as such administrators, whereby they Charge themselves with the sum of two Thousand three hundred and twenty two dollars & forty two & a half cents as being the whole amount of said estate come to their knowledge to be administered. And also claim Credits for divers sums amounting in all to the sum of two Thousand three hundred and twenty two dollars, forty two and a half cents which fully covers the amount with which they stand Charged. And the said administrators also produce and file receipts & other papers as vouchers, which are examined and inspected by the Court, and received and allowed Amounting to the said sum of two Thousand three hundred and twenty two dollars and forty two and a half cents, which fully settles the affairs of this estate It is therefore Ordered that the said Administrators be released and discharged.

Reuben Richards' Estate

Came now the said Executors and file an Exhibit of their opperations in this estate, whereby they Charge themselves with the sum of $711.88 as being the full amount of said estate, which has come to their knowledge to be administered, And also produce & file vouchers against said estate amounting to the sum of $711.88 which are examined and received by the Court, and which said sum Covers the amount with

being Shewn why the real estate aforesaid Shall not be Sold and made assets in the hands of the administrator for the payment of the debts aforesaid. It is therefore Ordered adjudged and decreed that forty five Acres off the South end of said tract of land be sold at private or Public Sale on a Credit of Eight Months; and for the purpose of carrying into effect such Sale, Simon P. Hadley is appointed A Commissioner to Sell the land aforesaid, upon the terms aforesaid, taking from the purchaser bond with approved security for the payment of the purchase money, and at the same time give to the purchaser a Certificate of purchase, Stating therein that said purchaser will be entitled to a deed of Conveyance upon the payment of the full amount of the purchase Money, and the Confirmation of the Sale by this Court and this estate is Continued

And Court adjourned until tomorrow morning Nine o'clock James McClure

Thursday Morning May the Thirteenth in the year Eighteen Hundred and forty one.

Court in Session

pursuant to adjournment

Present the same as yesterday

Reason Ragan guardian of Cary Ragan & John Ragan

Comes now the said guardian and Makes and files a report, Shewing that he has received of Money belonging to his said ward Cary the Sum of Nine hundred and Eighty three dollars and Eighty four Cents $983.84 And that he has not received any thing belonging to the said John Ragan who is now over the age of twenty One years. It is therefore Ordered that the said Reason Ragan as guardian of the said John be discharged. And that as guardian of the said Cary he be charged with the said Sum of $983.84 And further proceedings herein are Continued

John Green's Estate

Comes now Zeno W. Green administrator of said estate and files an exhibit of his offenations as such administrator, whereby he charges himself with the Sum of $306.84 And claims Credits for divers sums by him paid out amounting in all to $302.92½ and also produces & files vouchers in support of the credits, which are examined and received by the Court. And further pays here into Court the Sum of $3.71 in Money, which being added to the said Sum of $302.92½ Makes the Sum of $306.84 and Covers the whole amount with which he stands charged. And also pays here into Court the Sum of $11.50 over & above the amount with which he charged to be applied to the payment of two debts against said estate One in favor of Isaac Thorn of $7.00 & the other in favor of

Thorn claim $7.00 & Co claim

Hiram Hornaday for $11.50 which fully pays off and settles all claims against the estate Ordered that said Administrator be released & discharged.

Thomas Gilleland's
Estate

Comes now Susannah Gilleland administratrix and Makes and files her report whereby She charges herself as administratrix with the sum of $118.37½ and Claims Credits for divers sums of money by her paid out Amounting to $105.17½ leaving a balance now in her hands of $13.19 $92.50 of which is not yet due. And this estate is Continued

John Crum, Lewis Crum &
Philip Stone
vs
The Executors of
Absalom B. Gardner

Came now the said Crum Stone and Crum by Nave their attorney and Simon T. Hadley. Now the administrator de bonis non of said estate and file an agreement in writing. whereby it is agreed by the parties that the suit of Lewis Crum vs Joel Nelson & Hudson McVay shall be dismissed at the costs of the defendants to be paid by the said administrator out of the money in his hands belonging to said estate. And the said Crum & Crum agree to surrender upon to said administrator two other Notes one for fifty dollars executed by said Absalom B Gardner to said Crum & Stone &c of Christian Crum on the 13th November 1821 and the other note executed by

Gardner & wife to said Stone and Crum &c as aforesaid for the sum of $25.00 on the 5th November 1822. And the said Hadley administrator as aforesaid agree to pay Christian C. Nave attorney as aforesaid the sum of $15.00 in full discharge of the Claims aforesaid Wherefore it is Ordered that the suit aforesaid be dismissed at the costs of said administrator pursuant to the agreement aforesaid. And that he pay the costs of said suit taxed at dollars and Cents; and also the said sum of fifteen dollars to the said Christian C. Nave out of the Money in his hands belonging to said estate.

Hiram Tomlinson's
Estate

Comes now Moses Tomlinson administrator and files his Memorial. Shewing the insolvency of said estate and praying for permission to settle the same as insolvent. It is therefore Ordered that the Creditors of this estate be Notified of the filing and pendency of said Complaint of Insolvency by publication for Six weeks Successively in the Indiana Journal a public Newspaper of general Circulation printed and published at Indianapolis in Marion County; And that unless the Creditors Notify the administrator of the existance and extent of their respective claims, by filing the same, or a Statement of the Nature, discription and date of the Contract or assumpsit upon which the same is founded, in the office of the Clerk of this Court, previous to the final distribution of the assets of this estate, such claims will be postponed in favor of more diligent Creditors. And this estate is Continued And Court adjourned until tomorrow morning nine o'clock James McClure

May Term 1811

Friday Morning Nine Oclock May the Fourteenth in the year Eighteen Hundred and forty one

Court in Session pursuant to adjournment

Present the same as yesterday

Betsey Wilson's Estate

Comes Now William Vestal administrator de bonis non and makes and files a Report in this estate in these words (insert) whereby it appears that the whole amount of this estate both personal & real which has come into the hands of the said David Vestal Executor as aforesaid, and the said William Vestal administrator as aforesaid to be administered is two hundred and fifty three dollars and ninety seven cents $253.97. And that the demands against the estate, and all of which have been paid off by said executor & administrator, and for which they have produce vouchers which are examined and recived by the Court, is one hundred and seventy dollars & twenty Cents $170.20. And the said administrator now pays here into Court the sum of Eighty three dollars and Seventy Seven Cents $83.77 in Cash, which appears to be the nett amount of the proceeds of this estate, and which being added to the said sum of $170.20 makes the sum of $253.97 and fully covers and settles the affairs of this estate. Ordered that the said administrator be discharged. And now Comes here into open Court Eli Watson guardian of the said John Wilson infant son of Hannah Wilson, and one of the legatees named in the said last Will and testament of the said decedant, and to whom the sum of fifty dollar is bequathed, and files his petition as such

so Constituted & appointed by a writting power of attorney heretofore filed guardian, and also as the attorney of John Wilson & other legatee named in said Will, and to whom the sum of thirty dollars is bequathed, praying for a distribution of this estate according to the provisions of said Will; and also makes Satisfactory proof of the identity of the persons named as legatees, and whom he here represents And the Court upon Calculation find the distributive share of each legatee to be thus John Wilson Jr. the infant $38.08½ John Wilson Sen.r $22.81½ and Robert Wilson $22.81½ And it is Ordered that the said Clerk of this Court pay over to the said Eli Watson as guardian aforesaid, the said sum of $38.08½ Also to the said Watson as attorney for the said John Wilson Sen.r the said sum of $22.81½ upon his entering into a bond to refund in Case of the discovery of any unknown Creditor or heir. And the said Eli Watson now files his bond and receives the said sums above mentioned. And On Motion to the Court Samuel Brenton is appointed a Commissioner of this Court to to Make execute and acknowledge a Deed of Conveyance to the said Eli Watson for the tract of Land aforesaid towit the North West quarter of the North West quarter of Section Nine in Township Fifteen North of Range one East., And Now Comes here into open Court the said Samuel Brenton and makes & reports the same to this Court and files the following report towit (insert) and also here in open Court acknowledges the said deed of Conveyance so made as aforesaid, which is accepted by the said Eli Watson and ordered to be recorded.

William Thornbrough
Estate

Letters ~~Testamentary~~ administration having been granted and issued by the Clerk of this Court in vacation to Samuel Spray on the Estate of William Thornbrough and the same being now examined and inspected by the Court it is considered that the proceedings of the Clerk in the premises be in all things confirmed And the said Administrator having filed an Inventory herein Amounting ~~to~~ five Hundred and Seventy seven Dollars & 46 (~~$~~577.46 cts) and a sale bill Amounting to Four hundred & Sixty Eight ~~$~~ dollars & ½ ct ($468.00½) which are now examined and ordered to be recorded and further proceedings herein are continued

Amos Parnells
Estate

Letters of Administration having been granted and Issued to Jeremiah Johnson on the Estate of Amos Parnell by the Clerk of this Court in Vacation and the same being examined and Inspected by the Court It is considered that the proceedings of the said Clerk be in all things confirmed

And the said administrator having filed an Inventory of the property of said Estate amounting to two hundred and four Dollars and fifteen cents and a sale Bill Amounting to Fourteen Dollars & six and a fourth cents which are now examined and ordered to be recorded and further proceedings herein are continued

Recorded

Philip R Ellis
Estate

Letters of Administration on the Estate of the said Philip R Ellis having been Granted and issued by the Clerk of this Court in Vacation unto James Green and all things touching the granting of the same being now examined and Inspected by the Court It is considered that the proceedings of the Clerk herein be in all things confirmed And the said administrator now files an Inventory of the personal property belonging to said Estate Amounting to Four hundred and nineteen Dollars & ¾ at which is examined and ordered to be recorded And it is ordered that notice of the granting of said Letters of Administration be given by three successive Publications in the Indiana Journal a public Newspaper Published in Indianapolis in the adjoining County of Marion and further proceedings herein are continued

R

Daniel Barkers
Estate

Comes now John Lawrence Administrator ~~Administrator~~ and files an Inventory and appraisement of Certain real Estate belonging to said Estate and also his memorial shewing the insufficiency of the personal property to pay and satisfy the debts owing by said Estate and praying for an order for the sale of the real Estate mentioned in said Inventory to wit: Lots numbered five and six in Block numbered four in the Town of ~~Danville~~ Plainfield and that the proceeds thereof be made of ~~th~~ in his hands for the payments of the debts of ~~for~~

Recorded

and that the said decedent departed this life leaving a widow Polly Barker, and the following heirs Children, Daniel Barker, Mary Barker, Franklin Barker, Greenville Barker Savica Barker Sally Barker who are of Lawful age and also Phebe Barker and Selin Barker infants within the age of twenty one years, also shewing that William Walton, David G. Worth, Alexander Worth & Thomas Worth hold a lein on said Lands, and praying that the same with the Widow & heirs aforesaid may be made defendants to his said memorial and required to answer the same and shew cause if they can or have why the said Lands shall not be sold for the purposes aforesaid

It is therefore ordered that a subpoena issue requiring the said Polly Barker, Daniel Barker Mary Barker, Franklin Barker Greenville Barker Sabica Barker Sally Barker, William Walton, David G. Worth, Alexander Worth & Thomas Worth to appear in this Court at the next term thereof on the first day thereof to shew cause if any they have as aforesaid And on motion Edmund Clark is appointed Guardian ad litem for the infants aforesaid to answer the said Memorial as aforesaid and further proceedings herein are continued

Recorded

Samuel Brenton Esq one of the Attorneys of this Court now files the following preamble resolutions and on his motion they are signed by the Judge and Clerk of said Court and ordered to be entered of record which is done accordingly to wit,

Whereas by the proclamation of the President of the United States this day has been set apart as a day of fasting and prayer for the people of this union in Reference to the great public Calamity that has befalen them by the death of William Henry Harrison late President of United States and whereas the event is well calculated to impress all minds with a sense of the uncertainty of human things and of the dependence of nations as well as individuals upon our heavenly Parent. Therefore Resolved that we unite with our fellow Citizens generally and with the personal friends and acquaintances of the deceased in bearing testimony to his many virtues and the great services he has Rendered his Country and of our unfeigned Submission to Divine Providence Resolved that we most Sincerely mourn with the afflicted and bereaved widow and family who now deplore the death of him and whose memory a nations sorrow is so fervantly Expressed Resolved That this preamble and Resolutions be entered on the Record of this Court

James McClure Judge 5th C. H. C.
Samuel Brenton Attorney of Sd Court

Attest
James M. Gregg clk

Cornelius Faulkners Estate

It appearing to the satisfaction of the Court that James Anderson the Guardian herein has left the State of Indiana and is now a resident of the State of Kentucky It is therefore ordered that the Letters of Guardianship herein Issued be revoked and held as Naught

John Poaks Estate

Ordered that a Citation Issue against Sarah Poak Administratrix of said Estate requiring her to be and appear in this Court on the first day of the next term thereof and render an account of her administration in the premises and further proceedings herein are continued

James C Jones Estate

An motion this cause is continued until the next Term

John & James H. Jones Estate

Comes now Braxton Atterney for Mary Jones Guardian for said Minors and makes report that she has received of the Estate of her said Wards the sum of one hundred and sixty Eight Dollars & thirty six ⅌ it being the amount reported by Hartman & Coudy former Guardian on the 12th of May 1840

Elizabeth V Stevenson
Estate

Ordered that a Citation issue against William Faught her Guardian requiring him to appear in this Court on the first day of the next term thereof and render an account of his said Guardianship in the premises

Absalom B. Gardners
Estate

On motion It is ordered that the Clerk of this Court pay over to the Administrator de bonnion of said Estate the moneys now in his hands and that said Administrator pay over to the legatees their proportionable part thereof according to the devises of said Will on his being satisfied of the identity of said heirs & their filing a refunding bond on the receipt of said money & refund in the case of the discovery of any debtmon debtor or heir

William Cox's
Estate

Comes now Hamm Cox one of the Executors of said Estate and files his petition and thereupon this cause is continued until the Next Term

And Court adjourned

James McClure

Vacation Entries

Be it remembered that on this the 28th day of June 1841 Letters testamentary on the estate of William Patterson, late of the County of Hendricks and State of Indiana, deceased are granted and issued by me the undersigned Clerk of the Probate Court of said County, unto Elias Hadley and John M. Mathies the Executors in and by the last will and testament of said deceased appointed, the said Hadley & Mathies having previous to said grant filed said Will in my office and proved the same according to law, and also filed their bond with security and the said Hadley and Mathies are now by me duly qualified as such Executors

Attest J. M. Gregg clerk

Be it remembered that on this the 21st day of July 1841 Letters of administration on the estate of Martin Lawler, late of the County of Hendricks and State of Indiana are, by me the undersigned Clerk of the Probate Court of said County, granted and issued unto Levi Buckhannon he having previous to the annunciation of the widow (grant) and also said grant filed his bond with security And the said Levi Buckhannon is now by me duly sworn as administrator of said estate

Attest, J. M. Gregg, clerk

Be it remembered that on this 2nd day of June 1841 Letters of administration on the estate of Ird Scott, late of the County of Hendricks and State of Indiana, deceased are by me the undersigned Clerk of the Probate Court of said County granted and issued unto Simm T. Hadley, he having previous

Vacation Entries

to said grant filed in my office the relinquishment of the widow of said deceased & also his bond with Security and the said Simon S. Hadley is now by me duly Sworn as Administrator of said estate.

Attest, J. M. Gregg Clerk

Be it remembered that on the 15th day of July 1841 Letters of administration ~~was by me~~ on the estate of Catharine Clampett late of the County of Hendricks deceased were granted and issued unto David Walker by me the undersigned Clerk of the Probate Court of said County he having first filed his bond with Security And the said David Walker is now by me Sworn as Administrator of said estate.

Attest J. M. Gregg clerk

August Term AD 1841

At a Term of the Hendricks Probate Court began and held at the Court house in the Town of Danville on Monday the Ninth day of August AD. 1841

Present the Honorable Barnes McClure sole Judge of said Court.

Simon S. Hadley Guardian of Osborns heirs

Comes now Simon S. Hadley Guardian of the Estates of minor heirs to the Estates of Matthew and Joel Osborn Estates and files a report showing there is now in his hands belonging to his wards Fifty three Dollars and seventy one cents and this Course is continued

William P. Right Guardian for Cynthia & John H. Right

Ordered that a Citation issue against the said William P. Wright Guardian requiring him to appear in this Court on the first day of the next term thereof to render an account of his Guardianship in the premises

Thompson Farmer Guardian for Ann Hedges et. al

Ordered that a Citation issue against the said Thompson Farmer Guardian requiring him to appear in this Court on the first day of the next Term thereof to render an account of his Guardianship in the premises.

August Term A.D. 1861

John Hedge Guardian
for Mrs Hedge

Ordered that a Citation Issue against the said John Hedge Guardian requiring him to appear in this Court on the first day of the next Term thereof to render an account of his guardianship in the premises

William P. Wright Guardian
for Crockett Hedge

Ordered that a Citation issue against the said William P. Wright Guardian requiring him to be and appear in this Court on the 1st first day of the next Term thereof to render an account of his Guardianship in the premises.

Michael Robbins
Estate

Comes now Job Osborn Administrator of said Estate & files a report herein shewing that he has offered for sale at public Auction the lands ordered to be sold herein at the last term of this Court and that he failed to effect a sale for the want of Bidders and praying the Court to make an Alias Order for the sale of lands heretofore ordered to be sold herein And that the same be sold at private sale. And the premises being seen and understood It is ordered and decreed that the said Job Osborn Administrator of said Estate proceed to sell the premises heretofore ordered to be sold herein; at private sale upon the same credit and subject

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to the same restrictions as heretofore ordered and that he report his proceedings in the premises to this Court at the next Term thereof and further proceedings herein are continued.

Noah Kellum Guardian
for the heirs of Lee Jessup deceased

Comes now the said Noah Kellum Guardian herein and requests to be released from his said Guardianship And on the request of the Mother of the said infants in writing here filed the Kellum is released from said Guardianship and Whitlee Moore is appointed in his place and stead And the said Moore now files his bond as such Guardian which is approved by the Court and he is duly sworn in Open Court according to Law. And the said Noah Kellum now files an account for Three Dollars for services by him rendered in the premises and money by him expended as such Guardian which is allowed and Ordered to be paid by the present Guardian out of any moneys that may come into his hands belonging to his said Wards and further proceedings herein are continued. And the said Moore as aforesaid acknowledging the receipt of three hundred and twenty nine Dollars and ten cents of the former Guardian in a note on S. S. Kelly by report now filed

John Montagues
Estate

Comes now Henry C. Perry Administrator of said Estate and for cause by him shown this cause is continued

August Term A.D. 1861

Peter Cameons Estate

On suggestion to the Court that Abner Wiley the administrator of said Estate had gone to parts unknown it is ordered that the Letters of administration heretofore issued unto the said Wiley herein be revoked and made void And further that Thomas Nichols be and he is hereby appointed administrator de bonis non of said Estate And the said Nichols comes now here into Court and files a bond for his faithful preformance as such Administrator And is now duly sworn as administrator de bonis non of said Estate.

John C Fawkners Estate

Comes now Edward Strange Administrator of the said Estate and on his motion and for cause shown in writing this cause is ~~owing~~ continued.

Thomas P Briggs Estate

Comes now Stephen Briggs and William Briggs Executors of the last will and testament of said deceased and for cause shown in writing this cause is continued.

August Term A.D. 1861

John Peaks Estate

Now Comes Sarah Peak administratrix of said Estate and for cause by her shown in writing this cause is continued And it is ordered that the said Sarah Peak pay and satisfy the costs on the Attachment issued herein at the last Term of this Court out of her own funds.

Levi F Varnls Estate

Comes now Perennial Depew Administrator of said Estate and on his motion this cause is continued

James C Jones Estate

This Estate Continued until next Term

William Wings Estate

Now at this time comes William A King & Robert King Administrators of said Estate and for cause shown by them & shown in writing this cause is continued

George Pecks Estate

On Motion this cause is continued.

August Term A.D. 1861

George Medricks
Estate

Comes now Simon T. Hadley commissioner appointed to make sale of certain real Estate belonging to said Estate at the last Term of this Court and makes report that he has not been able to effect such sale (here insert the report) And on Motion of Brandon Attorney for the Administrator the order for the sale of said real Estate is continued until the next Term and said commissioner is also continued to make said sale And it is ordered that he make report of his proceedings in the premises again at the next term of this court

Noel Osborns
Estate

On Motion this cause is continued

Thomas Mills
Estate

Jane Mills the widow of Thomas Mills deceased having relinquished her right to the administration of the estate of her deceased husband in favor of David Mills and James Wilson It is therefore ordered that letters of administration be granted and issued to the said David Mills and James Wilson. And now comes here into open court the said David Mills & James Wilson and file their bond with security to the acceptance of the court in the sum of Two Thousand dollars, and are duly qualified as such administrators. & this estate is continued

August Term A.D. 1861

Hugh Crawford's
Estate

On Motion to the court Moses Crawford and William Crawford are appointed Administrators of the estate of Hugh Crawford late of the County of Hendricks deceased, And the said Moses and William now come here into open court and file their bond in the sum of Six hundred dollars, with security which is approved by the court and are duly qualified as such administrators. and this estate is continued

Joseph Deeler
Guardian of George Matlock

It is ordered that a Citation issue against the said guardian directed to the Sheriff of Marion County. requiring the said Joseph Deeler guardian as aforesaid to appear in this Court on the first day of the next term and report the situation and condition of the estate of his said ward. further proceedings herein are continued

Ransom Curlews
Estate

It satisfactorily appearing to the Court that the Administratrix of said Estate has departed this life Therefore it is ordered that Thomas Nichols be and he is hereby appointed Administrator de bonis non of said Estate and

August Term A.D. 1841

The said Nichols comes now into open Court and files his bond as such administrator debonis to the acceptance of the Court And is duly sworn according to Law

And Court adjourned until tomorrow morning Nine Oclock

James McClure

August Term A.D. 1841

Tuesday Morning August the 10th in the year of Our Lord Eighteen hundred and forty one

Court in Session Persuant to adjournment

Present the same as Yesterday

William Glovers Estate

Comes now James Glover administrator of said Estate and files a report charging himself as administrator with Forty Dollars also an account thereof or exhibit of settlement together with the several receipts for amounts by him paid out as refered to in said Account And also the desperate and insolvent note therein refered to amounting in the whole as shown in said account to Four hundred and Eighty four Dollars & seventy five cents leaving a balance in the hands of the said administrator of One hundred and ninety five Dollars and forty seven cents, to cover which said amount he now files two receipts one from Levina Glover and the other from James Glover for Ninety seven Dollars and seventy three cents which proceeding to the court that they are the only surving heirs to said Estate, the two receipts making together One hundred and ninety five Dollars and forty six cent which covers the amount with which said administrator stands charged and closes the administration of said Estate fully & finally.

August Term A.D. 1841

Moses Cavett Guardian
for Vacintha Bronaughetal

Comes now into open Court James A Meehan and suggests and proves to the satisfaction of the Court that he has intermarried with the said Vacintha and that he is of lawful age, twenty one years old, and prays the court that the said Cavit be ordered to pay over to him and the said Vacintha the amount of money in his hands belonging to said Vacintha. It is therefore ordered that the said Cavett Guardian pay over to said James & Vacintha all the Money in his hands belonging to his said ward and it is further ordered that he be notified of this Order

Jesse Saferights
Estate

Comes now John Saferight administrator of said Estate and files an exhibit of his operations in said Estate charging himself with Four hundred and forty seven Dollars and twenty ₰ cents he also now produces Vouchers including a Bill of charges which is allowed by the Court, numbered from one to twenty one both inclusive amounting to Four hundred and fifty four Dollars thirty seven and a half cents published examined and allowed all of which are refered to in said exhibit, covering the whole amount with which he stands charged as such administrator and leaving a balance in his favor of seven Dollars and seventeen cents ordered therefore that he be discharged as such administrator

August Term A.D. 1841

Edward R Ellis
Estate

Mary Ellis the widow of Edward Ellis deceased having relinquished her right to the administration of the Estate of Her deceased Husband, in writing now here filed, in favor of Clayton T Swindler It is therefore ordered that Letters of Administration be granted and issued unto the said Clayton T Swindler on the Estate aforesaid and now comes here into Court the said Clayton T Swindler and files his bond with security to the acceptance of the Court in the sum of Six hundred Dollars and is duly qualified as such Administrator and further proceedings herein are continued

Charles F Litzmans
Estate

Comes now Sorlina Pickett and Simon T Hadley administrators of said Estate and files a supplement to their memorial herein filed for the sale of Real showing that the widow of said deceased had been an infant Daughter, named Hannah Jane Pickett Litzman since the filing of their said Memorial and praying that said infant be made a defendant to their memorial and that a proper Guardian ad litem be appointed by this Court to answer the same for said infant Whereupon it is ordered that Samuel Brenton be appointed Guardian ad litem for said infant to answer the Memorial aforesaid ~~and day is given~~ And James T Hadley & Mary Litzman being ~~are~~ thrice called, ~~but~~ came not but make default And the said administrators now produce & shew to the Court the writ of Subpoena herein issued & the Sheriffs return thereon whereby it appears that said James T Hadley & Mary Litzman have been duly notified of the filing & pending of said memorial more than thirty days before the first day of this term. And day is given

August Term A.D. 1861

Recorded

David McDaniels
Estate

Comes now Job Osborn administration of said Estate and files his petition shewing cause for a continuance and thereupon this cause is continued.

Edward Strange Guardin
for Mary A. & Sarah J. Payne

Comes now said Guardian and files a report shewing that he has in his hands belonging to his said wards Twelve Dollars thirty six and a half cents with interest thereon from the 12th day of May last and that the money for which the said Estate was sold has not become due, and this cause is continued.

William Gamble on
Charge of ~~Lunacy~~ being an Idiot

Comes now Milly Gamble and files her petition, Charging that her son William Gamble now is and has been from his infancy an Idiot, and also files the affidavit of Fountain Rutledge & Benjamin Gamble, whereby it appears to the satisfaction of the Court that the Charges set forth in said petition are well founded. It is therefore Ordered that Benjamin M. Logan and Henry Miller Esquires be and they are hereby appointed Commissioners to diligently enquire by the oaths of twelve good and lawful men of the the County of Hendricks, by whom the truth of the matter may be the better known, whether the said William Gamble be Compos Mentis or not; if not, whether he has been Non Compos Mentis from his nativity, or from any other time, and from what time; And whether, since he has been in that condition, he has alienated any part of his real estate, and when and to whom; and what estate real and personal yet remains, and of what value; and who are his heirs, and of what ages; And the inquisition when so taken, that the said Commissioners return it into this Court on some subsequent day of this term

August Term A.D. 1861

Samuel Gamble on
Charge of Idotcy

At this time comes Milly Gamble, and files her petition charging her son Samuel Gamble with being an Idiot; And also files the affidavit of Fountain Rutledge & and Benjamin Gamble in support of the Charge aforesaid. Whereupon it is ordered that Benjamin M. Logan & Henry Miller Esquires, of the County of Hendricks be and they are hereby appointed Commissioners to diligently inquire by the oaths of twelve good and lawful men of the said County, by whom the truth of the matter may be the better known, whether the said Samuel Gamble be Compos mentis or not; if not, whether he has been Non Compos mentis from his nativity, or from any other time, and from what time; And whether, since he has been in that condition, he has alienated any part of his real estate, and when and to whom; and what estate real and personal yet remains, and of what value; And who are his heirs, and of what ages; And the inquisition when so taken that the said Commissioners return it into Court on some subsequent day of this term and day is given

Margaret Gamble on
Charge of Idiotcy

At this time comes Milly Gamble and files her petition, Charging her daughter Margaret Gamble with being an Idiot, and also files the affidavit of Fountain Rutledge

Benjamin Gamble in support of the Charge aforesaid
Wherefore it is Ordered that Benjamin Mc. Logan &
Henry Miller Esquires be and they are hereby appointed
Commissioners to diligently enquire by the oaths of twelve
good and lawful men of Hendricks County, by
whom the truth of the matter may be the better known
whether the said Margaret Gamble be Compos Mentis
or not; if not, whether she has been Non Compos
mentis Since her Nativity, or from any other time,
And from what time; And whether, Since she has
been in that Condition, She has alienated any part of
her real estate, and when and to whom, and
what estate real and personal yet remains, and
of what value, And who are her heirs, and of
what ages, And the inquisition when So taken
~~that~~ the said Commissioners return into this Court
on Some Subsequent day of this Term And day
is given

Jane Barlow widow
of Enoch Barlow dec'd
vs
Gideon W. Hufford &
Milton H. Barlow Admr's et al
Petition for Dower

Jane Barlow by Nave her attorney and files her
petition herein praying for the assignment of dower
And this cause is continued

Henry Briggs
Estate

At this time Comes Robert Wilson
one of the administrators, and files an exhibit of the

administration of this estate whereby he charges himself
with the sum of four hundred and four dollars
ninety seven and a half cents ($404.97½) that being
the whole amount of said estate which has come to
the knowledge of the said administrators to be admin-
istered. And also produces and files vouchers numbered
from 1 to 27 (receipts for cash paid into Court included) both
inclusive, together with one Note on Wilson for
two dollars, amounting in the whole to the sum of four
hundred and four dollars Ninety seven and a half Cents
$404.97½ and fully covers the amount with which the
administrators stand charged. But because claims
remain here against this estate unsettled, this estate is
Continued.

And Court adjourned until tomorrow morning
nine o'clock

James McClure

August Term 1841

Wednesday Morning nine Oclock August the Eleventh in the year Eighteen hundred and forty one. Court in Sesion pursuant to adjournment Present the same as yesterday.

In Frances Carlew's Estate

On Motion to the Court Christian C. Nave Esquire of Danville, is appointed Administrator of all and singular the Goods, Chattels, rights, Credits, Moneys and effects which were of Frances Carlew late of the County of Hendricks deceased, and the said Christian C. Nave now here in open Court enters into bond with Henry M Voris his security in the Sum of four hundred dollars, for the faithful discharge of the administration of said estate, which bond is approved by the Court And the said Christian C. Nave is now duly sworn as such administrator. And this estate is Continued

In Benjamin Burts Estate

Comes now John Hunt guardian of James, Moses, Benjamin & John Burts infant heirs of this estate by Asa B. Strong his agent and files the following letters of guardianship (insert) also the following power of attorney (insert) Whereupon it is ordered that the Clerk of this Court pay over to the said Asa B. Strong whatever money may be due said infant heirs. And now the Sum of One hundred & Seventy $170.00 dollars is paid to said Strong, that being the amount due said heirs now in Court.

Millicent Joyce &
Elizabeth Joyce
vs
Gideon Neufford, Elizabeth Neufford
Jane Barlow, Milton H. Barlow, Robert
Martin, Ruth Ann Martin, Henry C. Barlow
Theopholis H. Barlow of lawful age and
Aaron M. Barlow & Mary Ann Barlow infants

Petition for Fi Fa to sell real Estate

Came now the above entitled plaintiffs by Nave their attorney and file their petition praying the Court to award a proper writ of execution to sell certain real estate therein named & described, which said petition is in these words, (insert) And it appearing to the Satisfaction of the Court that all the above named defendants are residents of the State of Indiana, It is therefore Ordered that they be summoned to appear in this Court on the first day of the next term and shew cause if any they have why the proper writ of execution shall not be awarded agreeably to the prayer of the above petition. And this Cause is Continued.

In David Fox's Estate

Comes now Thomas Higgins administrator and pays into Court in Cash Six dollars twelve & a half Cents, And also makes and files a report shewing a cause of Continuance. Whereupon this estate is Continued

In John Thompson's Eztate

Comes now Samuel Parker Administrator of this estate and pays into Court ten $10. dollars and also files a report upon which this estate is Continued.

John Leach's Estate

Comes now Meredith Leach administrator and pays here into Court One hundred and Eleven dollars and Eighty Cents in Cash. And also makes and files an account of his opperations as such administrator which said account is in these words and figures (insert) Whereby it appears that he Stands Charged with the sum of $1530.87½ that being the whole amount of the estate which has come to his knowledge to be administered. And that he has paid and accounted to this Court for the whole amount with which he stands charged, which fully settles and Closes the affairs of this estate. It is therefore Ordered that the said administrator be be discharged and go hence &c. And the said Meredith Leach now files his petition Shewing the heirs of this estate, their advancements &c and praying a distribution of the proceeds amongst the heirs, which petition is in these words. (insert) and it appearing that the sum of $1341.60 is the nett sum now in Court to be distributed mongst the heirs, and the Court being fully advised of the advances and payments heretofore made to a part of the heirs. It is therfore Ordered adjudged and decreed that the said sum of $1341.60 be paid out and distributed as follows, to wit, To the heirs and legees of William Leach deceased the sum of $139.53 Enos Leach the sum of $37.53 Elias Leach the sum of $37.53 Peter Leach the sum of $37.53 John Leach the sum of $37.53 Mary Leach (widow of this) the sum of $57.87 Anderson Leach the sum of $37.53 & Meredith Leach the sum of $37.53 The other heirs having heretofore received their full shares All of which sums aforesaid is now paid here in open Court Except the heirs of William Leach

William Jenkins's Estate

It appearing to the Satisfaction of the Court that the administrators of this estate have fully administered the same and accounted for the full amount with which they are charged, it is therfore ordered that they be discharged

William Free's Estate

Comes now John Free administrator and on his motion and for Cause Shewn to the Court the proceedings heretofore had in this estate, in reference to the Sale of Certain real estate is set aside and held for nought. And the said administrator now files his memorial Shewing the insufficiency of the personal estate to pay and satisfy the debts outstanding against the same, and files also an inventory and appraisement of Certain other real estate Towit The Northwest quarter of the North East quarter of Section 22 Township 16 North of Range 1 East and the North East quarter of the North West quarter of the Section & Township aforesaid which he prays may be sold and made assets in his hands for the payment of the debts aforesaid. And it appearing to the Court by affidavit filed, that Jackson Woodard and Polly his wife and Isaiah Free heirs of this estate, are not residents of the State of Indiana It is therefore Ordered that they, the said Jackson Woodard & Polly his wife and Isaiah Free be notified of the filing and pendency of memorial by publication in the Indiana Journal a public newspaper printed & published at Indianapolis in Marion County, Notifying them to appear on the first day of the next term of this Court and Shew cause if any they have Why the Lands aforesaid Shall not be Sold for the purposes aforesaid. And it is further Ordered that a Summons issue to the Sheriff of Hendricks County against the said Sarah Free

(widow of the decedent) and John Ray & Sarah his wife Daniel Free, Priscilla Free, John Free, Matilda Free, Susannah Free, Claiborn Free, and William Free heirs of this estate, notifying them also to appear on the first day of the next term of this Court and Show Cause &c as aforesaid. And this estate is Continued

Wesley McKinley's
Estate

Comes now the administrator and on his motion and for Cause here Shewn in writing this estate is Continued

Daniel Parker's
Estate

Comes now the administrator and on his motion this estate is Continued and further proc=ess is awarded against Alexander Worth.

And Court adjourned until tomorrow morning nine Oclock

James McClure

August Term 1841

Thursday Morning August the Twelfth in the year of Our Lord Eighteen hundred and forty one. Court in Session pursuant to adjournment

Present the same as yesterday

William Vaught Guardian
of Elizabeth Jane Stevenson

Comes now the said guardian and makes and files a report Charging himself with the sum of $17.11. 91½ exclusive of interest. Ordered that the said William Vaught pay the Costs of the Citation herein issued against him. further proceedings herein are Continued

Enoch Barlow's
Estate

Come now the administrators and on their Motion the proceedings in reference to the sale of Certain real estate is set aside. And the said administrators now file their Memorial Shewing the insufficiency of the personal estate to pay and satisfy the debts outstanding against this estate, and praying for permission to sell Certain real estate therein mentioned and described, an appraisement and valuation of which is also now filed towit, the North East quarter of Section 33 and the South East quarter of 33 all in Township 16 North of Range one East; the West half of the South West quarter of Section 34 Township 16 North of Range one East (except 20 Acres sold to James Taylor) It is therefore Ordered that writs of Summons issue, one to the Sheriff of Hendricks County against Jane Barlow (widow of the deceased) Harvey R. Barlow and Sarah Jane Barlow, and one to the Sheriff of Putnam County against

Milton F. Barlow and Angeline his wife; one to Montgomery county against Ezekiel M'Connell Administrator of the estate of Isbel Barlow deceased, and Martha Barlow and one to Fulton County against Robert Martin and Ruth Jane his wife requiring them to appear in this Court on the first day of the next term and shew cause if any they have why the Lands aforesaid shall not be sold and Made assets in the hands of said Administrators for the payment of the debts and demands outstanding against this estate. And further proceedings herein are Continued.

Hiram Tomlinson's Estate

Comes now the administrator and Makes and files proof, that Notice of the insolvency of this estate has been given pursuant to the order of this Court at the last term. And further proceedings herein are continued.

James Campbell's Estate

Comes now the said administrator and Makes and files proof that notice of the insolvency of this estate has been given by publication in the Indiana Journal pursuant to the Order of this Court at the last term. And further proceedings herein are Continued

Ezekiel Simmon's Estate

The letters of Administration heretofore granted in this Estate to James Stockton are revoked and the said James Stockton is discharged as such administrator. And Simon T. Hadley is appointed administrator with the will annexed, in the room of the said Stockton. And now comes the said Simon T. Hadley and files his bond with security in the sum of One Thousand dollars and is duly sworn as such Administrator. And this estate is Continued

William Crawford Guardian

Comes now William Crawford and files the following petition (viz:) Whereupon the said William Crawford is appointed guardian of the persons and estates of the said Lydia Ann, Ellen, Barshaba, Alfred Newton, Elihu Milican, William English and Elizabeth Jane Crawford. And the said William Crawford now files his bond in the sum of $600. and is sworn as such Guardian administrator. further proceedings herein are Continued.

Philip R. Ellis's Estate

Comes now James Green administrator and Makes and files proof that notice has been given of the grant of letters of Administration in this estate

Charles F. Seitzman's
Estate

Comes now Samuel C Preston guardian ad litem and files the following Answer (insert) And the the premises being seen and understood, and the Court sufficiently advised in the premises, It is Ordered adjudged and decreed that the premises mentioned and described in the said Memorial be sold to the highest bidder on a Credit of fifteen months for the purposes mentioned in the said Memorial. And for the purpose of carrying into effect this decree Henry M. Voris is appointed a Commissioner to sell and dispose of the premises aforesaid And report the same to the next Term of this Court. And that previous to offering the same for sale, the the said Commissioner give notice of the time and place of Sale in the same manner, that notice of the Sale of real estate is required to be given upon execution, and upon sale of the same, that said Commissioner take from the purchaser bond with good and sufficient Security, for the payment of the purchase money, and at the same time give to the purchaser a certificate of purchase stating therein that upon the Confirmation of the sale by this Court, and the payment of the full amount of the purchase money he will be entitled to a deed of Conveyance for the said premises. And in case the sale be set aside, then said purchaser will be entitled to a return of his bond &c And further proceedings herein are Continued

And Court adjourned until tomorrow morning nine Oclock

James McClure

Friday morning nine Oclock August the Thirteenth in the year Eighteen hundred and forty one

Court in session pursuant to adjournment.

Present the same as yesterday

Ira Scott's
Estate

The Clerk of this Court, in vacation having granted and issued letters of Administration on the estate of Ira Scott late of said County deceased, to Simon T. Hadley, and the proceedings of the Clerk being now examined, It is Ordered and adjudged that the same be in all things confirmed. And the said administrator now files an inventory and sale bill which are examined and ordered to be recorded, and the said administrator now makes and files proof that Notice of the grant of letters of administration has been given by publication in the Indiana Journal. And the estate is Continued.

Record

William Patterson's
Estate

The Clerk of this Court having taken proof of the last will and testament of the said William Patterson dec'd and issued letters testamentary to Elias Hadley and John M. Mathers, the executors therein named in vacation and the same being examined and instructed by the Court, it is ordered adjudged that the same be in all things confirmed. and the Executors now present to the Court an Inventory of the personal property of said estate, and the same being examined it is ordered that the same be recorded. And further proceedings herein are continued

Martin Lawler's Estate

The clerk of this Court having in vacation granted and ispued letters of administration on the estate of Martin Lawer late of Hendricks County, dec'd to Levi Buchanan and the acts and proceedings of the Clerk in the premises being examined and inspected by the Court, it is ordered and adjudged that the same be in all things confirmed. And further proceedings therein are Continued.

Catherine Clampett's Estate

The Clerk of this Court having granted and ispued letters of administration in vacation on the estate of the said Catharine Clampett to David Walker, and the acts & proceedings of the Clerk in the premises being seen and inspected by the Court it is ordered that the same be in all things confirmed. the said administrator now files an Inventory and Sale Bill by him taken in this estate which are examined and ordered to be recorded. And this estate Continued.

John Clampett's Estate

Came now the administrator and present to the Court an Inventory and Sale Bill by him taken herein which are examined and ordered to be recordered: and this estate is Continued

Isaac Morgan's Estate

Came now Anderson P Morgan administrator and files an account current shewing his operations as such administrator whereby he charges himself with the sum of $86.00 that being the whole amount which has come to his hands to be administered. And also files claims Credits to the sum of $72.92½ for which proucher vouchers No from 1 to 15 both inclusive which are examined and allowed by the Court. and which overruns the amount with which he is charged, and leaves a balance in his favor of $11.18½ and fully settles the affairs of this estate. Ordered that said administrator be discharged

William Florrence's Estate

Came now the said Executrix and files an account Current, whereby she charges herself with the sum of $266.15½ that being the whole amount of said estate which has come to her hands to be administered and also Claims Credits to the sum of $66.88 and for which she produces vouchers No from 1 to 15 which are examined and allowed by the Court. leaving a balance in the hands of said Executrix of $199.57. And it appearing that the said Elizabeth the Executrix is entitled to the balance now remaining in her hands by the provision of the said last will and testament of the said decedent It is therefore ordered that the said Executrix be discharged

Samuel McClintock
Guardian

Comes now Phebe Lurena Clampett infant daughter of John Clampett late of Hendricks County deceased who is over fourteen years of age and files her petition praying for permission to choose a guardian, and being permitted, selects Samuel McClintock which choice is approved by the Court, and the said Samuel McClintock now files his petition showing that John Clampett departed this life leaving Albert Lafayette Clampett, Richard Milton Clampett, Elizabeth Rebeca Clampett and John Nicholson Clampett infant Children under the age of fourteen years who have no guardian to take care of their persons & estates. Whereupon the said Samuel McClintock is appointed guardian of the person and estate of the said Phebe Lurena, Albert Lafayette, Richard Milton, Elizabeth Rebeca and John Nicholson Clampett And the said Samuel McClintock now files his bond with security to the acceptance of the Court and is duly sworn as such guardian. and further proceedings herein are Continued.

Samuel Gamble on Charge of Idiotcy

Benjamin M. Logan and Henry Miller Esquires, to whom the Commission of Idiotcy herein issued was directed, now return the following inquisition (insert) Whereupon it is Ordered that all persons be enjoined from purchasing or interfering with any of the property belonging to the said Samuel Gamble until the further order of this Court And this Cause is Continued

William Gamble
on Charge of Idiotcy

Benjamin M. Logan and Henry Miller Esquires to whom a Commission of Idiotcy herein issued was directed, now return the following inquisition to wit (insert) Whereupon it is ordered that all persons be and they are hereby enjoined from purchasing or interfering with any of the property belonging to the said William Gamble until the further order of this Court. and further proceedings herein are Continued

Margaret Gamble
on Charge of Idiotcy

Benjamin M. Logan and Henry Miller Esquires, to whom a Commission of Idiotcy herein issued was directed, now return the following inquisition to wit (insert) Whereupon it is Ordered that all persons be and they are hereby enjoined from from purchasing or interfering with any of the property belonging to the said Margaret Gamble until the further order of this Court. And further proceedings therein are Continued

The State of Indiana on relation of William Master admr. of John Master decd. Debt
vs
Lewis Martin Edmund Clark & James L. Givan

Comes now the plaintiff by Nave his attorney and suggests and shews the return of "not found" upon the process herein issued, by the Coroner as to the defendant Lewis Martin. And the said defendants

Clark and Givan by Marvin their attorney Came and file their demurrer to the first & Second Count of the plaintiffs said declaration. and the plaintiffs her joinder in demurrer. And the Court being Efficiently advised in the premises are of Opinion that the first and Second Counts of the plaintiffs said declaration are Sufficient to have & by leave of the Court the defendants withdraw their demurrer and Maintain their action aforesaid. And then upon the defendants file two Pleas in bar. to which the plaintiff files her Replications. and the said defendants file their rejoinder. to which the plaintiff adds the Similiter. And it is ordered that the Clerk of this Court issue a venire for a Jury to appear in this Court on the first day of the next term to try the issues herein Joined. And this cause is Continued

And Court adjourned

James M. Clerk

Vacation Entries

Be it remembered that on this the 8th day of September 1841 Letters of administration on the estate of Hampton Pennington late of the County of Hendricks and State of Indiana are granted and issued unto Preston Pennington, a brother of said deceased by me the undersigned Clerk of the Probate Court of said County, he having previous to said grant filed his bond with Security And the said Preston Pennington is by me now duly Sworn as Administrator of said estate

Attest, J. M. Gregg, Clerk

Be it remembered that on this the 20th day of September 1841 Letters of administration on the estate of Pope Richardson, late of the County of Hendricks and State of Indiana deceased were by me the undersigned Clerk of the Probate Court of said County granted and issued unto Green Richardson and John I. Smith they having first filed their bond with Security And the said Green Richardson and John I. Smith are now by me duly Sworn as Administrators of said estate.

Attest, J. M. Gregg, Clerk

Be it remembered that on this the 22nd day of October 1841 Letters testamentary on the estate of Samuel Shannon late of the County of Hendricks and State of Indiana were by me the undersigned Clerk of the Probate Court of said County unto Edward Strange the Executor in and by the last Will and testament of the said deceased appointed he having previous to said grant filed said Will in my office and proved the same according to law And also his bond with Security And the said Edward Strange is now by me duly Sworn as such Executor

Attest, J. M. Gregg, Clerk

Be it remembered that on this 5th day of November 1841 a Venire was issued by the undersigned Clerk directed to the Sheriff of Hendricks County Commanding him to Summon Ezra Thompson, William Mitchell, Alvah Handley, Abraham Spicklemier, Robertson C. Russell, Daniel Davidson, William H. Cash, George Bunton, David Frame, Richard Martin John Davis and Samuel W Matthall to appear at the November term 1841 of the Hendricks probate Court to try divers issues made in said Court. They being of the regular panel of Jurors at the October term of the Hendricks Circuit Court

J. M. Gregg Clk

November Term 1841

At a Term of the Hendricks probate Court begun and held at the Court House in the town of Danville on Monday the Eighth day of November in the year of our Lord Eighteen Hundred and forty one.

Present the Honorable James McClure sole Judge of said Court.

Millicent Joyce & Elizabeth Joyce
vs
Gideon Hufford & Milton H. Borlow Administrators of the Estate of Enoch Borlow dec'd, Jane Borlow (a widow) Gideon Hufford & Elizabeth Hufford, Robert Morton & Ruth; Jane Martin, Milton H. Borlow Harvey R. Borlow, Theophilus H. Borlow = Aaron M. Borlow & Mary Ann Borlow Infant Children of Enoch Borlow deceased and Margaret Jane Borlow & Mary Jane Borlow Infant Children and heirs of John H. Borlow dec'd,

Petition for Execution against the Real Estate of Enoch Borlow late of Hendricks County deceased

And now comes the above Petitioners Millicent Joyce & Elizabeth Joyce by Stood their attorney, and it appearing to the Court that the said several writ herein & proceedings herein duly served upon the said defendants Gideon Hufford & Milton H. Borlow Administrators of the Estate of Enoch Borlow deceased & Gideon Hufford & Elizabeth Hufford, Robert Morton & Ruth, Jane Morton, Milton H. Borlow, Jane Borlow, Harvey R. Borlow Theophilus H. Borlow all of lawful age more than ~~ten~~ days before the first day of the present Term of this Court thereof as the writ with the returns thereon and they the aforesaid defendants being thrice called come not but herein make default and herein wholly fail to appear plead answer or demur to the said Petition of said Plaintiffs herein, It is therefore considered by the Court that said Petition as to said defendants be taken as true and confessed and it appearing to the Court that Aaron M. Borlow, Mary ann Borlow, Margaret Jane Borlow & Mary Jane Borlow, who are also served with process herein are all minors within the age of twenty one years

And thereupon the Court appoint Simon T. Hadley Guardian ad litem for the aforesaid Infants to answer for them this petition herein filed, and day is given herein for the said Guardian ad litem to make and file his Answer herein for said Infants

Robert Cossett's
Estate

Come now the said administrators and on their motion and for cause shewn this estate is Continued

Thomas D. Briggs
Estate

Come now the Executors and on their motion and for cause here shewn in writing this estate is Continued.

Simon T. Hadley
Guardian of the infant heirs of
David McDaniel

Comes now the said guardian and files the following report (viz) And on his motion further proceedings herein are Continued

Benjamin E. Bell's
Estate.

Comes now Mordecai G. Taylor administrator and files his memorial Shewing the insolvency of this estate and praying for permission to settle the same as an insolvent estate It is therefore Ordered that the Creditors of this estate be notified of the filing & pendency of said Complaint of insolvency by publication for six weeks Successively in the Indiana Journal

a public newspaper of general circulation printed & published at Indianapolis in Marion County; and that unless the Creditors notify the administrator of the existance and extent of their respective claims, by filing the same or a Succinct Statement of the nature, date, and discription of the Contract or Assumpsit upon which the same is founded, in the office of the Clerk of this Court, previous to the final distribution of the assets, Such claims will be postponed in favor of more deligent Creditors. And further proceedings herein are Continued.

Joshua Hadley's
Estate

Comes now Simon T. Hadley and files the relinquishment of Rebecca Hadley, the widow of the deceased to letters of administration in this estate. Whereupon the said Simon T. Hadley is appointed Administrator of all and Singular the goods Chattels, rights, Credits, moneys and effects which were of the said Joshua Hadley late of Hendricks County deceased And the said Simon T. Hadley here in open Court enters into bond with Isaac Green his security in the sum of three Thousand dollars for the faithful administration of this estate. which bond is approved by the Court. And the said Simon T. Hadley is Sworn as such administrator And it is Ordered that notice of the grant of letters be given by publication in the Indiana Journal And further proceedings herein are Continued.

Lovey Briggs
Estate

On motion to the Court Robert Wilson is appointed administrator of all and singular the goods, Chattels rights, Credits, moneys and effects which were of the said Lovy Briggs late of Hendricks County deceased. And the said Robert Wilson now files his bond with Stephen Briggs his Security in the sum of four hundred dollars which is

November Term 1841

approved by the Court. And the said Robert is sworn
And it is ordered that no notice of the grant of letters be given by publication in the Indiana Journal
as such Administrator. And this estate is Continued

David Mills Sen Guardian
of David Mills Jr

David Mills Jr an infant over
fourteen years of age, this day came into Court and made
choice of David Mills Senr as his guardian of his person
and estate & who thereupon appeared in open Court and
accepted said appointment and gave bond with security to
the acceptance of the Court in the penalty of fifteen hundred
dollars Conditioned as the law directs

Jeremiah Johnson Guardian of
William & Clark Thornbrough

William Thornbrough
and Clark Thornbrough, Minors over the age of fourteen
years, this day Came into open Court, and made choice
of Jeremiah Johnson as guardian of their person and
estates, and thereupon the said Jeremiah Johnson
appeared in Court and accepted said appointment and
gave bond with security to the acceptance of the Court
in the penalty of five hundred dollars Conditioned
as the law directs

James Wilson Guardian
of John Mills

John Mills, a minor over the age
of fourteen years, this day appeared in open Court and
made choice of James Wilson as guardian of his person
and estate, and thereupon Came the said James Wilson
into Court and accepted said appointment, and gave

November Term 1841

bond with security to the acceptance of the Court in the penalty
of five hundred dollars Conditioned as the law directs

Simon T. Hadley guardian
of the minor heirs of Habid M Hamil

Comes now the said
guardian and makes and files the following report.
And further proceedings herein are Continued

Ezekiel Simmons
Estate

Comes now the administrator and makes and
files proof of the grant of letters of administration in this
estate (inunt) And said administrator now files the following
report (inunt) And James Stockton former administrator of this estate now files a claim for his services as
such administrator amounting to nine dollars which
is allowed and ordered to be paid. And further
Proceedings herein are Continued

James T. Hadley
Job Osborn Admr
of Michael Robbins Estate

Come now the parties, and file the following
opinion & judgment of the Supreme Court to wit

The State of Indiana
Supreme Court

May Term A D 1841
Thursday June 3d A D 1841

November Term 1841

Present the Honorable Jesse Blackford
Charles Dewey & Judges
Jeremiah Sullivan

Job Osborn Adm
vs
James T. Hadley

In Error to the Hendricks Probate Court

At this time come the parties by their Counsel, and the Court being sufficiently advised of the premises give the following opinion & judgment pronounced by Judge Blackford. In this case Hadley filed an account in the Probate Court against Osborn intestate & obtained a judgment without the defendants appearance or any notice to him of the suit. The judgment cannot be sustained.

It is therefore considered by the Court that the judgment of the Circuit Court be wholly reversed, & held for naught, which is ordered to be certified to said Court.

The State of Indiana }

I, Henry P. Coburn, Clerk of the said Supreme Court do hereby Certify that the foregoing is a full, true & correct Copy of the opinion & judgment of said Court in above entitled Cause.

In testimony whereof I have hereto subscribed my name & affixed the Seal of said Court at Indianapolis this 9th day of August A.D. 1841

H. P. Coburn C.S.C.

And Court adjourned until tomorrow morning nine O'clock

James McClure

November Term 1841

Tuesday Morning November the Ninth in the year Eighteen hundred and forty one.

Court in Session pursuant to adjournment

Present the same as Yesterday

Michael Robbins Estate

Came Now Job Osborn and files a report whereby it appears that the Lands heretofore Ordered to be sold, have not been disposed of and wherefore it is Ordered that the said Job Osborn expose to public Sale the whole of the premises belonging to said estate & which have heretofore been appraised on a Credit of for Cash, in hand, 12 months first giving the same Notice of the time and place of Sale that is required by law for the Sale of real estate upon execution. And that upon at the time of Sale that he give to the purchaser a certificate of purchase, and take from him bond with approved security for the payment of the purchase money. The Sale to be subject to the Confirmation of this Court. And a deed of Conveyance made upon the payment of the purchase money And further proceedings herein are continued.

David McDaniels Estate

Came Now Job Osborn administrator and on his motion & for Cause here shown in writing this estate is continued

John C. Faulkner's Estate

Comes now Edward Strange administrator and for Cause here shown in writing this estate is Continued

Philip Pixley's Estate

Comes now Baker and Hadley administrators and file the following Statement in writing of their opperations in this estate (wit) And pay here into Court the said Sum of $155.37½. which said Sum it is Ordered that the Clerk pay out as follows towit

To	Jeremiah Depew	5.81½
"	Alban Poteet	38.69½
"	William L Mattock & Co	5.69½
"	Alexander Morris	1.40¾
"	Adm'r. of William M. Hamer	6.18½
"	Ira Osborn	2.10¾
"	Simon T. Hadley	17.09½
"	Thomas B. Caywood	9.22½
"	Robertson C. Rusel	4.00½
"	Pemberton S. Dickey	6.81¾
"	Moody Chase	1.20½
"	Rob Osborn	3.10½
"	Cyrus I Carter	7.21½
"	James Dugan	2.55¾
"	Stephen D Cambden	31.39½
"	Stevens & Emrich	4.61
"	Jeremiah Depew (preferred)	5.75
"	Abram Hoadley	2.50

which finally settles and closes the administration of this estate. Ordered that said administrator be discharged

James Campbell's Estate

Comes now here into Court Jeremiah Hadley administrator and pays into Court the sum of $30.00 and on his motion this estate is Continued

Joseph Hiatt guardian of Jacob Hiatt

Comes now the said guardian and files a report of the condition of the estate of his said ward and also suggests to the Court, that since his appointment and before this day his said ward the said Jacob Hiatt departed this life. Whereupon the said Joseph Hiatt is appointed administrator of the goods, Chattels, rights, Credits Moneys and effects which were of the said Jacob Hiatt at the time of his death. And the said Joseph now files his bond with Simon T. Hadley his security in the Sum of One Thousand dollars and is Sworn as such administrator. And it is ordered that notice be given in the Indiana Sentinel of the granting of letters And further proceedings herein are Continued.

Daniel C Parker's Estate

Comes now the administrator and withdraws by his application for the sale of real estate. And by agreement of the said administrator and Worth & Brothers & Wm Walton the Contract made by the deceased and the said Worth & Brothers, Wm Walton all reference to the sale of certain real estate, is recinded and the papers pertaining to said Contract are Cancelled. And further proceedings herein are Continued.

David Vestal's
Estate

Comes now the administrator and on his motion this estate is Continued.

Charles F. Leitzman
Estate

Comes now Henry M. Vories Commissioner heretofore appointed to sell certain real estate of which the said Charles F. Leitzman died seized, and Makes & files the following report "The undersigned Commissioner appointed by an Order of this Honorable Court made at the last August Term thereof to Make Sale of Lots numbered One, Two Three and Four, in Block numbered Seventeen in the town of Danville, with the appurtenances, it being the real estate of Charles F. Leitzman late of said County dec.d respectfully reports that having given public notice of the time and place of sale agreeable to the directions of said Order, he did on the 18th day of September last expose the said premises to Sale by public vendue at the town of Danville aforesaid, and sold the same to James T. Hadley for the sum of Seven hundred and twenty dollars, he being the highest bidder and that being the highest and best price bidden for the same. And the said Commissioner in persuance of the said Order gave to the said James T. Hadley a certificate of purchase, and received of the said James T. Hadley his promissory note for the same, due fifteen months after date as described by said order, which note the said Commissioner has here in Court. all of which is respectfully submitted November 8th 1841 Henry M. Vories Commissioner" And the sale so made as aforesaid by the said Commissioner being inspected and understood by the

Court. It is ordered adjudged and decreed, that the Sale of the premises to the said James T. Hadley be in all this confirmed, and that said promisory note for the purchase money, executed by said Hadley be delivered over to the administrator, to be by them collected when due And further proceedings herein are Continued

Frances Carlew's
Estate

Comes now the said administrator and on his motion this estate is Continued.

Hugh Crawford's
Estate

Comes now the administrators and Make and file proof of Notice of the grant of letters of Administration in this estate. And further proceedings herein are Continued.

And Court Adjourned untill tomorrows Morning nine o'Clock

James McClure

November Term 1841

Wednesday Morning November the tenth in the year Eighteen hundred and forty One Court in Session pursuant to adjournment Present the same as yesterday

David Fox's Estate

Comes Now Thomas Higgins administrator and on his motion and for cause here in writing shewn this estate is Continued.

Hiram Tomlinson's Estate

Comes Now Moses Tomlinson administrator and on his motion and for cause here shewn in writing this cause is Continued.

The State of Indiana on the relation, & for the use of William Platter Administrator of the Estate of John Platter Deceased
v
Edmund Clark & James L. Govan
} Debt

And now here at this day, to wit: on the tenth day of November eighteen hundred and forty one, come as well the within named Plaintiff as the within named Edmund Clark & James L. Govan by their respective Attorneys; and the Jurors of the Jury whereof mention is within made, being called, to wit: Jesse Thompson, William Mitchell, Abral Coadley, Abraham Spicklemire, Robertson C. Russell, Daniel Davidson, William A. Cash, George Burton, John S. Smith, Richard Martin, Moses Tomlinson & Samuel W. Walhall, also come

and are sworn upon the said Jury according to the form of the Statute in such case made & provided, and who upon their oath say, and find for the Plaintiff and assess her damages upon the breaches in the declaration assigned, at Eighty one dollars and twenty three cents. Therefore it is considered that the said State of Indiana recover for the use of William Platter Administrator of the Estate of John Platter deceased, against the said Edmund Clark and James L. Govan the said Sum of Eighty one dollars & twenty three cents in damages, so as aforesaid assessed by the Jury, and Eighty dollars and thirty three cents her costs herein laid out and expended, in this behalf; and the Defendants in mercy &c

Rec.d of Edmund Clark $9.00 Nov 12th 1841 & also $41.12½ Dec.r 5th 1843, on the above Judg.t

William Platter

Millicent Joyce & Elizabeth Joyce
v
Gideon Hufford, Elizabeth Hufford, Robert Martin, Ruth Jane Martin, Milton F. Barlow, Harvey R. Barlow, Theophilus A. Barlow, Aaron M. Barlow, Mary Ann Barlow, Jane Barlow, Margaret Jane Barlow, Mary Barlow, & Gideon Hufford & Milton F. Barlow Administrators of the Estate of Enoch Barlow Deceased
} Petition for Execution &c

Now at this time come the Plaintiffs by their Attorney, and the infant defendants Aaron M. Barlow & Mary Ann Barlow, Margaret Jane

Barlow & Mary Barlow by Simon T. Hadley their Guardian ad litem, and file their joint answer herein to said petition (here insert) and the aforesaid adult defendant still failing to plead, answer or demur to the plaintiffs' petition herein filed; and the Court after hearing the proofs and allegations of the plaintiffs in the premises, ~~upon~~ and after due deliberation had thereon, do find and award to said plaintiffs an execution fi. fa. ~~to be directed~~ directed to the Sheriff of Hendricks County, for the sum of One hundred & twelve dollars, fifty cents in damages, and twenty nine dollars and twenty cents in costs; the same being the amount of a judgment and costs, rendered at the May term of this Court eighteen hundred & forty one, in favor of the said Millicent Joyce & Elizabeth Joyce against Gideon Hufford & Milton F. Barlow Administrators of the estate of Enoch Barlow, Deceased, ~~to be~~ which aforesaid sum was to have been levied of the assets in their hands, belonging to the estate of Enoch Barlow Deceased, but which has not been levied for want of any such assets; and four dollars & fifty cents, the interest accrued upon the aforesaid judgment since the rendition thereof, & sixteen dollars and forty one cents, the costs accrued in this case, all of which is ordered to be levied, and made out of the East half of the North East quarter, of Section thirty three (33) in Township Sixteen (16) North of Range one (1) East, and the West half of the South West Quarter of Section thirty four (34) in Township Sixteen (16) North of Range One (1) East lying & being in the County of Hendricks & State of Indiana, or so much thereof as will be sufficient to satisfy the aforesaid Judgment, costs, interest, & costs, the same being a part of the Lands in the aforesaid petition described, and a part of the Lands of which the said Enoch Barlow died seized in fee. All of which is

finally adjudged, awarded and decreed by the Court in the premises. And it is further ordered, adjudged and decreed by the Court that the said Sheriff, after levying upon the before said Lands, the aforesaid Executions, shall advertise the same for sale thereof as the law directs: and upon sale of the said premises, make, execute, acknowledge, and deliver to the Purchaser or purchasers thereof a good and sufficient Deed to said premises.

Recorded 11th Oct.

Enoch Barlow's Estate } Application for sale of real Estate by Administrators

Come now the administrators, and the said Jane Barlow, Gideon Hufford, Elizabith Hufford Milton F. Barlow, Angeline Barlow, Harvey R. Barlow, Theophilus H. Barlow, Sarah Jane Barlow, Ezekiel McConnell and Martha Barlow being three called came not, but herein make default. And the said administrators produce & show to the Court three several writs of Summons herein issued, & and the Sheriffs returns thereon in these words (insert writs & returns) whereby it satisfactorily appears to the Court that the aforesaid last named individuals have been duly notified of the filing & pendency of said Memorial to sell the real estate therein described. Wherefore it is ordered adjudged and decreed that the said Memorial and the matters and things therein contained be taken as confessed and held to be true as the said individuals above named, who have been served with process and made default as aforesaid. And on motion of said administrators, it is Ordered that a writ of Summons issue to the Sheriff of Fulton County against the said Robert Martin & Ruth Jane his wife, and also an other writ of Summons to the Sheriff of Hendricks County against Theophilus H. Barlow, Aaron M. Barlow and Mary Ann W. Barlow, returnable to the first day of the next term of

this Court, Notifying them of the filing and pendency of said Memorial, &c And further proceedings therein are Continued.

Darius Parker's
Estate

Comes now John Lawrence administrator and files his petition shewing the insolvency of this estate and praying for permission to settle the same as insolvent It is therefore Ordered that the Creditors of this estate be notified of the filing and pendency of said Complaint of insolvency by publication for Six weeks successively in the Indiana Journal, a public Newspaper printed and published at Indianapolis in Marion County, And that unless the Creditors of this estate notify the administrator of the existence and extent of their respective claims, by filing the same or a Succinct statement of the nature, date and description of the Contract or Agreement upon which the same is founded, in the office of the Clerk of this Court previous to the final distribution of the Assets, such Claims will be postponed in favor of more diligent Creditors. And further proceedings herein are Continued

This Court adjourned until tomorrow Morning Nine Oclock

James McClure

Thursday Morning November the Eleventh in the year Eighteen hundred and forty one Court in Session pursuant to Adjournment. Present the same as yesterday

Jane Barlow widow of Enoch Barlow dec'd
vs
Gideon Hufford, Elizabeth Hufford Milton T Barlow, Margaret Jane Barlow Mary Barlow, Robert Martin Ruth Jane Martin, Harvey Barlow Thosphodis H. Barlow, Aaron M. Barlow and Mary Ann Barlow

Petition for Dower

Comes now the petitioner by Nave her attorney and files her petition in these words ten (insert) And thereupon the said Gideon Hufford, Elizabeth Hufford, Milton T. Barlow, Robert Martin, Ruth Jane Martin, Harvey R. Barlow, Thosphodis H. Barlow, by Brunton their attorney appear in Court and waive all error for the want of proof of notice and enter their appearance to said petition, and the said infant defendants, by Gideon Hufford, who is appointed by the Court guardian ad litem for said infants now file their Joint answer in these words (insert) And the proof and allegations of the petitioner being heard It is considered by the Court that the said Jane Barlow is well entitled to dower in the premises mentioned and described in Her said Memorial. Whereupon it is ordered that Eldred Huffy Samuel Melaque and Edmund Clark be and they are hereby appointed Commissioners to lay off and assign to the said Jane Barlow, dower in the premises mentioned and described in her said petition and report the same to the next term of this Court. until when this cause is Continued

William Free's
Estate

Comes now the said administrator and on his motion and for cause shown it is ordered that notice of the filing and pendency of said memorial to sell real estate by the said administrator be given by publication in the Indiana Journal pursuant to the order herein before made. And further proceedings herein are Continued.

Simon J. Hadley Guardian
of Elijah P. Pearce

Comes now the said Elijah P Pearce who is an infant over fourteen years of age and makes choice of Simon J. Hadley as guardian of his person. And the said Simon J. Hadley Comes here into Court and accepts said appointment, and enters into bond with Lafe T. Matlock his security in the sum of One Hundred dollars Conditioned according to law for the faithful discharge of his duties as such guardian, and the said Simon J. Hadley is duly sworn as such guardian

Simon J. Hadley Guardian
of the heirs of Thomas Gilleland

Comes now George N Gilleland an infant over the age of fourteen years and Makes choice of Simon J. Hadley as guardian of his estate. And on petition filed the said Simon J. Hadley is also appointed guardian of the estates of

John T. Gilleland, Martha Ann Gilleland and Elizabeth Gilleland, infant Children under the age of fourteen years of the said Thomas Gilleland. And the said Simon J. Hadley Comes here into Court and accepts said appointment and enters into bond with Lafe T. Matlock his Security in the sum of Six Hundred dollars Conditioned as the law directs, and is duly sworn as such guardian

Robert Wilson guardian
of the heirs of Levy Briggs

On petition filed Robert Wilson is appointed guardian of the person and estates of Harrison Briggs, Palina Briggs, Cynthia Ann Briggs & Sarah Jane Briggs infant children of Levy Briggs late of Hendricks County deceased, who are under the age of fourteen years And the said Robert Wilson Comes here into Court and accepts said appointment and files his bond with William Briggs his security in the sum of Six hundred dollars Conditioned as the law directs and is duly Sworn as such guardian

Recorded

Sandy Scott guardian
of Josephus Simmons

Comes now said guardian and reports that he has received of money belonging to his said ward the the sum of fourteen dollars and forty Cents

Benjamin G. Tout's
Estate.

Comes now Simon J. Hadley administrator of this estate and files an account Current, whereby he charges himself with the sum of $2892.05 as being the whole amount of said estate. And also claims

Credits to the amount of $892.05¢ for which he produces vouchers Numbered from one to thirty one both inclusive which are examined and received by the Court. And which said Sum when deducted from the amount of debt leave in the hands of said administrator the Sum of $2000.00 which consists of a note on Lewis Martin. And which settles the whole affairs of said estate, except the note aforesaid which is not yet due. And further proceedings herein are Continued.

And Court adjourned until tomorrow morning nine O'Clock

James McClure

November Term 1841

Friday Morning November the Twelfth day A in the year Eighteen hundred and forty one Court in Session pursuant to adjournment

Present the same as yesterday

Hampton Pennington's Estate

The Clerk of this Court having granted and issued letters of Administration on the estate of Hampton Pennington late of Hendricks County deceased to Preston Pennington, and the proceedings of the Clerk in the premises being examined and inspected by the Court, It is Ordered that the same be in all things Confirmed. And an Inventory of said estate is now presented to the Court, examined and Ordered to be recorded. further proceedings herein are continued.

Jesse Richardson's Estate

The Clerk of this Court having issued and granted letters of Administration on the estate of Jesse Richardson late of said County of Hendricks deceased, to John L. Smith and Green Richardson, and the acts and proceedings of the Clerk being now examined and inspected by the Court, it is ordered that the same be in all things Confirmed. And an Inventory and Sale Bill of said estate is now examined by the Court & Ordered to be recorded And this estate is continued.

Samuel Shannon's
Estate

The Clerk of this Court having granted and issued letters of Administration testamentary in the estate of Samuel Shannon late of Hendricks County and State of Indiana deceased, to Edward Strange, in vacation, and the same being now examined and inspected by the Court it is ordered that the same be in all things confirmed. And this estate is Continued

David Mills
Estate

An Inventory and Sale bill of this estate is now presented to the Court examined and Ordered to be recorded. And this estate is Continued

Benjamin E. Bell's
Estate

The Sale Bill of this estate is now presented to the Court examined & Ordered to be recorded. And this estate is Continued

Frances Carlew's
Estate

An Inventory of this Estate is now presented to the Court examined and ordered to be recorded. And this estate is Continued

Edward S. Ellis's
Estate

An inventory of this estate is presented to the Court examined and ordered to be recorded And this estate is Continued

Thomas Gilleland's
Estate

Comes now Susannah Gilleland Admx: istratrix and files an account Current of her operations in this estate for final settlement in these words and figures (insert) which said account, and the papers and documents therein referred to, are now here examined and inspected by the Court, and found to be correctly described, and the estate fairly and faithfully administered and the proceeds thereof duly accounted for, and whereby it appears that the nett proceeds of said estate to be distributed amongst the infant heirs is $232.01½ And which said sum is paid here into Court Whereupon the said Susannah Gilleland Administratrix as aforesaid is discharged. And Simon T. Hadley Commissioner heretofore appointed to convey to Moses Dooley his heirs and assigns certain real estate of which the decedent died seized Now makes and files the following report (insert) whereby it appears that said Commissioner has in obedience to the Order and decree of this Court Conveyed the premises herein before mentioned and described to the said Moses Dooley Whereupon it is ordered, adjudged & decreed that that the deed of Conveyance so made as aforesaid be delivered over to the said Moses Dooley as evidence of his right & title to the premises, and that all persons be and they are hereby enjoined from molesting the said Moses Dooley in the quiet and peaceable possession thereof. And it is further Ordered that the said Simon T. Hadley be allowed five dollars for his services as such Commissioner. And

that the Clerk of this Court is Ordered to pay over to Simon T. Hadley Guardian of George N. John T. Martha Ann and Elizabeth Gilleland the sum of One hundred and Eighty five dollars & Sixty Cents ($185.60) which is now done here in open Court.

Edward Strange guardian of
Harvey S. Shannon

Comes now here into open Court the said Harvey S. Shannon an infant over the age of fourteen years and makes Choice of the said Edward Strange as guardian of his person and Estate, and the said Edward Strange comes here into Court and accepts said appointment and enters into bond in the sum of One Thousand dollars Conditioned as the law directs, with Wesley B Sears and Martin Gentry his Security which is approved by the Court And the said Edward Strange is duly Sworn as such guardian. And further proceedings herein are Continued.

John Thompson's
Estate

Ordered that a Citation issued against Samuel Barker administrator of this estate. requiring him to appear at the next term of this court and settle this Estate

William Faught guardian
of Elizabeth Jane Stevenson

Ordered that said guardian be cited to the next term of this Court to account for his guardianship

Wesley M^c Kinley's
Estate

On petition filed this estate is Continued

Samuel Gamble et al
Idiots

Ordered a Citation issued against Milly Gamble requiring her to shew at the next term Cause, why she has not taken upon herself the guardianship of said Idiots.

James C. Janes
Estate

Comes now Simon T. Hadley Commissioner and and files the following report. (insert) whereby it appears that he has in Conformity to the Order and decree of this Court made & executed to James M Gregg a deed of Conveyance for Certain Land heretofore Sold to said Gregg and of which the said James C. Janes died seized. which said deed is acknowledged by said Commissioner here in Court Whereupon it is Ordered that the deed of Conveyance so made as aforesaid be recorded and delivered to the said James M Gregg as evidence of his right and title to the premises therein described And the said Simon T. Hadley now pays here into Court $133.90 the full amount of the purchase money of said tract of land with interest. And it is Ordered that said Commissioner be allowed for his Services for Selling & Conveying the premises the sum of five dollars. And this estate is Continued.

And Court adjourned until tomorrows Morning 9 o'clock

James M^c Clure

November Term 1841

Saturday Morning November the Thirteenth in the year Eighteen hundred and forty one Court in Session pursuant to adjournment

Present the same as yesterday

Joel Osborn's Estate

Came Now the administrator and acknowledges that he has received the full amount of the purchase money of a certain tract of land of which the decedant died seized, and which has heretofore been sold by Thomas Nichols a Commissioner appointed for that purpose by this Court, to Wesley B. Sears. And One William Williams Comes Now here into Court, and presents and files the certificate of purchase executed by the said Thomas Nichols to said Sears, with an assignment on the back thereof written which Certificate is in these words and figures (insert) And the assignment on the back thereof in these words (insert) whereby it appears that the said Wesly Sears has assigned and transfered to the said William Williams all his right title and claim to the certificate of purchase and the premis therein described. Wherefore It is ordered adjudged and decreed that ~~the~~ all the right title interest and claim of in and to said tract of land and the appurtenances thereunto belonging do vest in the said William Williams his heirs and assigns forever, as fully and Completely as the said Joel Osborn had and held the same at the time of and immediately before his death. And Linan T. Hadley

is appointed a Commissioner to convey the premises so sold as aforesaid, to the said William Williams his heirs and assigns in fee simple absolute. And the said Linon T. Hadley Comes Now here into Court and files a report in these words (insert) whereby it appears that he has made & executed a deed of Conveyance to said William Williams agreeably to the above Order and decree, which deed is acknowledged here in open Court. And is in these words & figures (insert deed) And it is Ordered that said deed be delivered to the said William Williams as evidence of his right and title to the premises therein mentioned and described. Ordered that said Linon T. Hadley be allowed for making said deed the sum of two dollars & fifty Cents And further proceedings herein are continued

George W. Hedricks Estate

Came Now Linon T. Hadley Commissioner as aforesaid, and reports that he has sold the Lands of the decedant as directed by this Court. Wherefore it is ordered that the said Linon T. Hadley as such Commissioner expose at private Sale the whole of the tract of Land described in the said Memorial upon the same terms as herein before ordered at the last term for a part thereof And report the same to the next term of this Court And the said Linon T. Hadley now suggests & gives the Court to understand, that the administrator George S. West has left the state of Indiana and gone to parts unknown. Whereupon It is ordered that the Letters of Administration heretofore granted in this

estate to the said George S. West be and the same are hereby revoked and set aside And Henry M Vorris is appointed administrator of this estate, and hereby authorised administer and settle the same according to law And the said Henry M. Vorris now files his bond with Simon T. Hadley his Security in the sum of dollars which is approved by the Court And the said Henry M Vorris is duly Sworn as such administrator. And further proceedings herein are continued

William Watts
Estate

Comes now Edmund Clark Administrator of this estate and reports and shows from the papers here filed in this estate, that the same does not Amount to the sum of One hundred dollars. And produces and files the receipt of Irena D. Watt for the whole Amount of the property of this estate Wherefore the said administrator is discharged

James C. Jones
Estate

Comes now Daniel D. Hamilton Administrator of this estate and and presents his papers for settlement and says hee into Court the sum of Ninety one

dollars. Making when added to the $37.44 the Amount by him heretofore paid into Court, and the sum of Many paid into Court by Simon T. Hadley Commissioner, (the proceeds of the real estate) the sum of $263.09 for the payment of the Claims here on file which have been proved and allowed by the Court. and which is fifty three Cents to the dollar after paying preferred Claims The Claims allowed and proved are as follows towit

To Daniel D Hamilton Admr. preferred	15 00
" Clerks fee to I McGrew	19 48
" Staff " " Edmund Clark	2 21
" Simon T. Hadley Commissioner	5 00
" Henry M Marvin atty fee	10 75
" Dr Hoadley Medical Bill	19 94
	$71.94

Making of preferred Claims Leaving the sum of $191.15 to be paid out on other Claims. And which said sums, it is Ordered be paid out and distributed as follows

To William S. Mattock & Co	$17.38
" Daniel Hambleton	4.26
" Jeremiah Depew	29.57
" Aaron Mattison	4.94
" James M. Gregg on 3 notes to Curtis King	$131.68
" Pemberton J. Dickun	4.40
Making the sum of	$172.23
	$264.17

And finally Closes and settles the affairs of this estate. Ordered that said Administrator be discharged.

And Court adjourned

Dan'l McClure

Vacation

Allen Stout's Estate

Be it remembered that on this 7th day of December 1841 Letters of administration on the estate of late of Hendricks county dec'd Allen Stout, are granted and issued by the undersigned Clerk of the probate Court of Hendricks County to James K. Mason who now files his bond in the sum of $1200. with Miles Busby his security. and the said James K. Mason is duly sworn as such Administrator he having first produced & filed the relinquishment of the widow of deceased

Attest. S. M. Gregg Clk

John G. Smith's Estate

Be it remembered that on this 13th day of January 1842 Letters of Administration on the estate of John G. Smith late of Hendricks County deceased Are granted & issued unto John Turner, who now files his bond in the sum of One Thousand Dollars with James Parks Edward T. Noyal & William Turner his Securities. And the said John Turner is now duly sworn as such administrator

Attest S. M. Gregg Clk

James Walls Estate

Be it remembered that on this 13th day of December 1841 James Boswell & Abraham Bland, proved and proved by the subscribing witness before me the undersigned Clerk of the Hendricks probate court, the last will and testament of James Walls late of said County deceased, And thereupon the said Boswell & Bland the executors in said will named & appointed, entered into bond in the sum of $1200. with Berry Burks & William Crawford their

Security and the said Boswell & Bland are duly sworn into office as such Executors

Robert Millhouse's
Estate

Be it remembered that on the 13th day of December 1841 Samuel Millhouse produced and filed, and proved by the subscribing witnesses the last will and testament of Robert Millhouse and entered into bond in the sum of $1200 with William Newby & Samuel Starbuck his security. Whereupon the said Samuel Millhouse (one of the Executors named and appointed in and by said will) is duly qualified as such executor

John Hollingsworth's
Estate

Be it remembered that on this 7th day of January 1842 Letters of administration on the estate of John Hollingsworth, late of the County of Hendricks and State of Indiana were by me the undersigned Clerk of the Probate Court of said County, granted unto John Miles he having first filed the renunciation of the widow of said deceased and also his bond with security And the said John Miles is now duly Sworn as such Administrator.

Attest J. M. Gregg clerk

William C. Smith's
Estate

Be it remembered that on this 26th day of January 1842 Letters of administration on the estate of William C. Smith, late of the County of Hendricks and State of Indiana deceased, were by

me the undersigned Clerk of the Probate Court of said County granted and issued by ~~me the undersigned~~ unto William Turner he having previous to said grant filed his bond with Security And the said William Turner is now by me duly Sworn as Administrator of said estate

Attest J. M. Gregg Clerk

Recorded

Joab Hadley's
Estate

Be it remembered that on this 26th day of January 1842 Letters of administration on the estate of Joab Hadley, late of the County of Hendricks and State of Indiana, deceased, were by me the undersigned Clerk of the Probate Court of said County, granted and issued unto John Jessup he having previous to said grant filed his bond with Security and the said John Jessup is now by me duly qualified as Administrator of said estate

Attest J. M. Gregg clerk

February Term A.D. 1842

At a Term of the Hendricks Probate Court begun and held at the Court House in Danville on Monday the fourteenth day of February in the year of Our Lord Eighteen hundred and forty two

Present the Honorable James McClure Sole Judge of said Court

James Stobaugh Guardian of Samuel Gamble an Idiot

On motion to the Court James Stobaugh is appointed guardian of the person and estate of Samuel Gamble who has heretofore upon a Commission issued out of this Court, been Convicted of Idiotcy. And the said James Stobaugh now files his bond in the sum of two hundred dollars with Harris his security, which is deemed to be good and Sufficient. And the said James Stobaugh is now duly sworn as such Guardian. further proceedings herein are Continued

James Stobaugh Guardian of William Gamble an Idiot

On motion to the Court James Stobaugh is appointed guardian of the person and estate of William Gamble who has heretofore been found to be an Idiot upon a Commission issued out of this Court. And the said James Stobaugh now enters into, and files his bond in the sum of two hundred dollars with William Harris his security which is deemed by the Court to be good and Sufficient. And the said James is duly Sworn as such guardian. further proceedings herein are Continued

James Stobaugh guardian of Margaret Gamble an Idiot

On motion to the Court James Stobaugh is appointed guardian of the person and estate of Margaret Gamble, who has heretofore been found to be an Idiot upon a Commission issued out of this Court. And the said James Stobaugh now enters into and files his bond in the sum of two Hundred dollars with William Harris his Security which is deemed to be good & Sufficient And the said James Stobaugh is duly Sworn as such guardian And further proceedings herein are Continued.

Jane Barlow
vs
Gideon Hufford &
Milton F Barlow Admr
& and others

Assignment of Dower

Comes Now Eldred Huff & Edmund Clark two of the Commissioners heretofore appointed to assign and set off dower to the said Jane Barlow, widow of Enoch Barlow deceased and make & file the following report, towit: "Hendricks County and State of Indiana. We the Commissioners appointed in this cause, to assign dower to Jane Barlow widow of Enoch Barlow late of Hendricks County and State of Indiana, deceased, in the following real estate, situate, and lying in the County of Hendricks and part in the County of Clinton and State aforesaid (towit) The West half of the North West quarter of Section thirty four, Except the following part or portion thereof, towit, Commencing at the North West Corner of the Section, thence South with the Section line fifty five Poles, Thence East with the Section bearing to White Lick Creek, Thence up said Creek

following the meanders thereof until it strikes the East boundary line of said half quarter, Thence with said line North to the Section line, Thence west with said Section line to the place of beginning, and the West half of the South West quarter of Section thirty four all in township numbered ~~Sixteen~~ North of Range one East and also the East half of the North East quarter of Section thirty three, in Township Sixteen North of Range one East, lying and being in the County of Hendricks and State aforesaid, supposed to contain two hundred and twenty acres; Also Lots numbered Seventeen, Twenty Sixty eight, and Seventy seven in Michigantown, Clinton County and State aforesaid; and having been duly Sworn, upon actual view of the premises do assign to the said Jane Barlow, for her dower estate, so much of said lands as is contained within the following limits, viz: The East half North East quarter of Section thirty three, and also part of the West half of the North West quarter of Section thirty four, in the following manner (viz:) Beginning at the half mile stake on the Section line dividing Sections thirty three and thirty four, thence East with Section bearing thirty two poles, thence North 15° West one hundred and six Poles, thence West with Section bearing Sixteen poles, to the Section line dividing Sections thirty three and four as aforesaid, thence South with said Section line one hundred and five poles to the place of beginning, Estimated to contain fifteen and three quarter acres. And further, part of the west half South West quarter of Section thirty four, Township and Range aforesaid (viz:) Beginning at the aforesaid half mile Stake, thence South with Section line Seventy poles, thence East with Section bearing Twenty eight poles and thirteen links to the west bank of White Lick Creek, thence N 15° W along the bank of said Creek Twenty Six Poles and Sixteen links, thence west with Section bearing two poles, thence N 20° W Twenty two poles, thence N 15° E Twenty two poles and forty two links to the line dividing said Section through the Center East and West, Thence west with said line thirty two poles to the place of beginning, Estimated to contain Twelve and one half acres. The whole of the Widows dower estimated to contain one

hundred and Eight and one quarter acres.

Given under our hands and Seals this Fourteenth day of February 1842.

Eldred Huff Seal
Edmund Clark Seal Commissioners

Which said report, the Commissioners Huff & Clark now here in open Court acknowledge. And the report of said Commissioners being examined and understood by the Court, It is ordered and adjudged that the said Jane Barlow have and hold the premises so assigned and set off by the commissioners aforesaid, as and for her dower in the Lands, tenements and hereditaments, of which the said Enoch Barlow died seized. And it is further ordered and adjudged that the said Jane Barlow recover against the said defendant her Costs & Charges herein laid out & expended taxed at dollars and cents to be levied of the assets in the hands of said administrators

Enock Barlow's Estate } Application to Sell real estate

Comes now the said Administrator, and the said Robert Martin, Ruth Jane Martin, Theopholis H. Barlow, Aaron M. Barlow & Mary Ann W. Barlow, being each thrice called come not but make default. And the said Administrator now produce and shew to the Court here two several writs of Subpoena and the Sheriff's returns thereon whereby it appears to the satisfaction of the Court that the said Robert, Ruth Jane, Theopholis, H. Aaron M. and Mary Ann by summons more than thirty days have been duely notified of the to appear here on this day and shew cause if any they have why the real estate so inventored and appraised as aforesaid shall not be sold and made assets for the discharge of the debts and demands outstanding against said estate. Whereupon Simon T. Hadley is appointed guardian ad litem to answer for the said infants Aaron M. Barlow and Mary Ann W. Barlow & who come into Court and files their answer in these words (viz) It is therefore Ordered adjudged and decreed that the said Memorial and the matters and things therein contained be taken as confessed and held to be true. And that the premises aforesaid mentioned and described in the said Memorial subject to dower as hereinafter appears be sold, at public outcry upon the following terms. One fourth of the purchase money in hand and the remainder in twelve months from the day of sale, the purchaser giving bond with approved security for the three fourths of the purchase money. And for the purpose of effecting the sale of said premises Eldred Duff is appointed a Commissioner and required to sell the same, giving the same notice of the time and place of said sale, that is required for the sale of real

Recd Mar

estate upon execution. and upon sale thereof to give to the purchaser a certificate of purchase stating therein that the purchaser will be entitled to a deed of conveyance upon the full payment of the purchase money and the confirmation of such sale by this Court. or to a return of his money and note provided the Court shall set aside the sale. further proceedings herein are continued

And Court adjourned until tomorrow Morning nine O'clock

James McClure

February Term 1842

Tuesday Morning February the Fifteenth in the year Eighteen Hundred and forty two

Court in Session pursuant to adjournment
Present the same as yesterday

Thomas L. Matlock guardian
of Robt McCracken's Heirs

On the petition of the said Comes now said Guardian and makes and files and exhibit of his opperations as guardian aforesaid in these words and figures (viz) Whereby he Charges himself with the sum of $832.38¢ as being the whole Amount which has Come into his hands as such guardian, And said guardian also Claims Credits for devers sums by him paid out amounting to the sum of $531.44 and for which he produces vouchers which are allowed by the Court. leaving a balance in his hands of $300.86 And on motion of the said Thomas L. Matlock the letters of guardianship granted to him herein, are revoked And he is discharged from any future care of of the estates or persons of said infants.

Recorded

Samuel Charles Guardian
of the heirs of John Charles dec'd.

It is Ordered that a citation issue to the Sheriff of ~~Randolph~~ Wayne County against the said Samuel Charles guardian as aforesaid, requiring him to appear in this Court on the first day of the next term, and settle the affairs of his guardianship or Show Some Sufficient Cause why the same cannot be settled. And further proceedings herein are Continued.

David McNeil's
Estate

Comes now Job Osborn administrator and for Cause here to the Court in writing Shewn this estate is Continued.

William Free's
Estate

Comes now John Free administrator, and it appearing to the Court that Notice to the Nonresident heirs of this estate by publication, has not been made pursuant to the Order of this Court, of the application of said administrator to sell Certain real estate of which the decedent died Seizd. Whereupon it is ordered that Notice of the filing and pendency of the said Memorial be given to the said Jackson Woodard, and Polly his wife, and Isaiah Free (who are Nonresidents) by publication in the Indiana State Sentenal a Newspaper published at Indianapolis, Notifying the said Jackson, Polly & Isaiah to appear in this Court on the first day of the next term of this and Show Cause if any they have why the Lands aforesaid shall not be sold and made opets in the hands of said Administrator for the payment of the debts and demands outstanding against the same And further proceedings herein are Continued

February Term 1842

Thomas P. Scott's
Estate

Comes now the Executors and on their Motion and for cause shewn this estate is Continued

John Pickett's
Estate

Comes now Aaron Hadley Administrator and on his Motion and for cause here shewn in writing this estate is Continued.

John Cassells
Estate

Comes now Senior L. Hadley Administrator and shews cause in writing, upon which this estate is Continued

William Farmer's
Estate

Come now the executors and on their Motion and for cause in writing here shewn this estate is continued.

William Thornburgh's
Estate

Comes now the Administrator and for cause here shewn in writing this estate is Continued

Frances Carlew's
Estate

Comes now the Administrator and on his Motion this estate is Continued.

John Tincher guardian
of William S. Robbins
Christopher Robbins &
Michael Robbins

Comes now John Tincher and files his petition, shewing that William S. Robbins, Christopher Robbins, and Michael Robbins, infant sons of Michael Robbins late of Hendricks County deceased are minors under the age of fourteen years, and have no guardian to take charge of their person and estates. Whereupon, the said John Tincher is appointed guardian of the person and estates of the said William S. Christopher and Michael. And the said John Tincher now accepts the appointment and enters into bond with Joshua D. Parker his security in the sum of five hundred dollars which is approved by the court, and is sworn as such guardian. further proceedings herein are continued

William McCracken guardian
of Nelson McCracken

Comes now Nelson McCracken a minor over the age of fourteen years, and being permitted to choose a guardian, selects and makes choice of William McCracken, which choice & selection is approved by the Court. And the said William McCracken comes here into Court and accepts the appointment, and files his bond in the sum of Eight hundred dollars with Samuel McCracken his security which is deemed sufficient. and is sworn into as such guardian and further proceedings herein are continued.

February the Term 1842

State of Indiana for the use of
Henry M. Voris admr de bo-
nis non of the estate of
George Hedrick decd
vs
George S. West
Thomas C. Gray &
William Shannon

Debt.

Comes now the said plaintiff by Jones atty & the Sheriff of said County has returned "not found" as to the said defendant West & it appearing to the Court by the Sheriffs return to the writs herein issued (here insert the writs & returns) that the process herein had been served on the above defendants Thomas C. Gray & William Shannon more than ten days upon the first day of the present term of this Court. And the said defendants who had been served now thereupon three times solemnly called & failed to appear but herein & wholly made default. Therefore it is considered by the Court here that the said plaintiff ought to recover of the said defendants Gray & Shannon the debt aforesaid as well as the damages sustained by reason of the detaining of said debt as for their costs & charges in this behalf expended And thereupon the said plaintiff according to the form of the Statute &c Suggests & gives the Court here to understand & be informed that the said writing obligatory was subject to a condition thereunder written whereby after reciting it is declared that the condition of the above obligation is such that if the above bound George S. West will truly & faithfully discharge the duties & trust committed to

him as administrator of the estate of George Hedrick late of Hendricks County deceased who is appointed as such administrator as the successor in the room of William Kelly removed & will deliver over to his successor to be appointed by the Probate Court of said County should any such one be appointed all rights moneys credits or other effects belonging to said estate upon reasonable demand being made thereof then the above obligation is to be null & void. otherwise to be & remain in full force & virtue in law. And said plaintiff avers that while said George S. West was such administrator as aforesaid at the County aforesaid a large amount of the personal effects of said decedent came into his hands to be administered by him to wit the sum of two hundred dollars. And said plaintiff further avers that the said George West admr as aforesaid had so proceed himself of said personal effects of said decedent to wit on sixth judicial day of Probate Court of said County at the November term thereof for the year 1841 he the said George West was by an order of said Court as fully & at large appears by the record of said Court then & there removed from his office as administrator as aforesaid & then & there by an order of said Court the said Henry M. Voris was appointed admr in room of the said George West to succeed as aforesaid as fully appears by said record as well as by the letters of administration of which profert has been & now made. And said plaintiff further avers that the said George West while he was such admr as aforesaid did not perform the trust & duties committed to him in his said but on the contrary wholly neglected to

to convert the said personal effects into money &
thereafter pay the debts due from decedent & the
& other claims & pay the same out of the monies duly
retained, the same together with the sum of fifty
dollars which came into his hands in such &
other he was removed as aforesaid wholly neg-
lected & did neglect & refuse to pay the debts
wholly neglected to distribute the same in due
course of administration
And for a further breach said plaintiff says
that at the time said George Rust was
removed from his office of administration
as appears in the 1st breach more fully said
George Rust had in his hands other personal
effects of said decedent of great value
to wit of the value of two hundred & fifty dollars
which said effects said Rust after he was
so removed as aforesaid & the said Henry
M. Morris so appointed as fully appears in
the first breach above wholly neglected &
refused & still neglect & refuse to pay over to
the said Henry M. Morris his successor in
office as aforesaid the said last mentioned
personal effects of said decedent. But on
the contrary has absconded from the said state
of Indiana & has gone to some place unknown
to the said Henry M. Morris so that said M.
Morris has been wholly unable to demand
said effects from said George S. Rust.
Wherefore because it is necessary that the Court should
not give final judgment upon the premises aforesaid until
the truth of the breaches above assigned shall have been
inquired of & the damages sustained by reason of the
said breaches as aforesaid shall have been assessed by a
jury of the country therefore let judgment be stayed
until such time. And because a jury of the country
ought to inquire of the truth of said breaches

by the said plaintiff above assigned & to assess
the damages sustained by reason thereof therefore
let a jury come to enquire of the truth of said
breaches & to assess the damages which the said
plaintiff has sustained by reason of the same.
And now comes said defendants Gray
& Shannon by Nowe their atty & moves the Court
now here to arrest the judgment aforesaid.
(here insert the motion & causes)

Hiram Tomlinson's
Estate

Comes now Moses Tomlinson administrator
and files a statement of his opperations as such administrator
in this estate whereby he charges himself with
the sum of One hundred & Eleven dollars & fifty nine & three
fourth cents $111.59¾ as the whole amount of assets of this
have come into his hands to be administered. And the
said administrator also shows to the satisfaction of the Court
by vouchers here added that he has paid out for funeral
expenses, expenses of administration and expenses of last sickness
the sum of fifty three dollars and ninety six cents $53.96. and
an Judgment in favor of Solomon Hunt with cost, together with
six dollars in Cash paid Nov Term 1841 the sum of thirty
eight dollars thirty cents, leaving a balance now in his hands
of $17.33¾ which he now pays into Court. from which Clerk
fees accrued in the administration of this estate amounting
$10. and an account in favor of James Taylor for $5. for making
Coffin for decedent must be deducted. leaving a balance to be
distributed amongst Creditors of $16.33 as follows towit

To Lispes & Poteet	$1.14
" Solomon I Scott	.68
" Jemmah Lispes	24
" William Thompson	6
" Shannon Wilson	23½

to Lob Turner 62½
Todd & Mancourn 32
Henry B. Tomlinson 36
William Matlock 36

And which fully and finally closes & settles the Administration of the estate. Whereupon the said Administrator is discharged

And Court adjourned until tomorrow morning nine O'clock

James McClure

Wednesday Morning February the Sixteenth. Eighteen hundred and forty two

Court in Session pursuant to adjournment

Present the same as yesterday

Allen Stout's Estate

The letters of Administration herein issued and granted by the clerk of this Court in vacation to James K. Mason, are on Motion of the said Mason and for causes by him here orally shewn revoked and set aside. And on Motion Sally Stout widow of decedent, is appointed Administratrix of the estate of the said Allen Stout in the room and place of the said James K. Mason. And the said Sally Stout now files her bond in the sum of fifteen hundred dollars with Security to the acceptance of the Court and is duly Sworn as such Administratrix. An Inventory and Sale Bill of this estate is now presented to the Court, together with a Bill of articles reserved by the widow at appraised value, which are examined and ordered to be recorded. And further proceedings herein are continued.

Sally Hancock
Guardian of
Samantha Hancock

On petition filed. Sally Hancock is appointed guardian of the person & estate of Amantha Hancock, infant daughter of George Hancock late of Hendricks County dec'd. And the said Sally now files

her bond in the sum of One hundred dollars with John Hancock her Security, which is approved by the Court and the said Sally Hancock is now sworn as such guardian and further proceedings herein are continued

Lydia Hufford &
Milton Barlow admrs.
of Enoch Barlow decd
vs
The Creditors of said
Decedent

Petition to settle as an insolvent estate.

Now at this comes into Court William L Mallock William S. Crumpton Henry McInnis Ezekiel McConnal admr of John Barlow decd Elisabeth Joyce Millicent Joyce a part of the creditors of said decedents estate by C. C. Nave their solicitor & pray that time be granted them to defend and oppose the prayer of said petition And thereupon ^ plaintiff the same is given & All matters & things connected with said petition being fully heard & considered by the Court now here. It is ordered & decreed that notice be given to the creditors of said decedent by publication for six weeks successively in the Indiana Journal of the filing & pendency of said petition & this cause is continued.

And Court adjourned until to morrow nine.

James McClure

Thursday Morning February the Seventeenth in the year Eighteen Hundred and forty two. Court in Session pursuant to Adjournment. Present the same as yesterday

Michael Robbins Estate

Comes now into open court Job Osborn Commissioner heretofore appointed to make sale of the following Real Estate of which the said Michael Robbins died seized in fee viz The North west Quarter of the North East Quarter of Section twenty eight And the South East Quarter of the South West Quarter of section twenty and all in Township sixteen North of Range two West in Hendricks County, and makes and files the following report (here insert) by which report it is shown that the said Commissioner did on the 12th day of this instant according to law sell the above named described tracts of Land premises to one John Tincher for the sum of two hundred dollors he being the highest and best bidder for the same and that being the best price bidden and it is also shown by said report that the purchase money was not paid down by said Purchaser at the time of the purchase but the said John Tincher now here in open court pays over to said Commissioner the sum of two hundred dollors the purchase money aforesaid, and which is now received by the said Commissioner, and the said Job Osborn the said Commissioner and James T. Hadley the Mortgagee Mortgaged in the aforesaid premises and John Tincher Guardian of William S. Robbins, Christopher Robbins and Michael Robbins minors and heirs of the Estate of Michael Robbins deceased and waved all Error and right of appeal from the following order or decree, and consent that the aforesaid sale of the lands aforesaid by the Commissioner aforesaid be confirmed by the Court in all things whatsoever. And thereupon and because of the agreement aforesaid and because of the sale aforesaid The same is hereby affirmed in all things And thereupon James T Hadley Esqr is appointed a Commissioner to convey the aforesaid premises to the said John Tincher according to the form of the Statute in such case provided and this is continued until the next Term

Wesley McKinley's
Estate

Comes now Andrew B. Shelledy administrator of this estate and pays him into Court ten dollars and on his motion this estate is Continued.

James Campbell's
Estate

Comes now the administrator and pays here into Court Eight dollars, and this estate is Continued

William H. Cash & John Cash
Adm^rs of William M. Hamer Estate — Petition to sell real estate
vs — Complaint of misdoings
The Creditors of decedents Estate
Lesse Kennedy, Sarah Kennedy &c
Andrew Hamer, Lewis Hamer
Samuel Lewis, Anna Lewis
Leonard Comes, Sarah Comes
John Hamer Jr. Samuel Hamer
Washington Hamer, James Hamer
Joseph R. Hamer, Samuel Frill
Rebecca Frill, John Hamer Sen^r
Sabina Hamer

Comes now the administrators and file their Memorial in the words & figures following (viz^t) Also the following Inventory & appraisment of certain real estate described in said memorial. (viz^t) And the Administrators now suggest to the Court the insufficiency of the personal property to pay and satisfy the debts & demands outstanding against the same. and it appearing to the satisfaction of the Court, that the said Lesse Kennedy, Sarah Kennedy, Andrew Hamer, & Lewis Hamer are residents of the State of Indiana, and

that the said Samuel Lewis, Anna Lewis, Leonard Comes Sarah Comes, John Hamer Jr. Samuel Hamer, Washington Hamer, James Hamer, Joseph R. Hamer, Samuel Frill Rebecca Frill, John Hamer Sen^r & Sabina Hamer are not residents of the State of Indiana It is therefore Ordered that the said resident defendants be notified by Summons and the said Nonresident defendants be notified by three successive publications in the Indiana State Sentinal, a news paper of general circulation printed & published at Indianapolis, to appear in this Court on the first day of the next term, and shew cause if any they can, why the real estate mentioned and described in the said Memorial, shall not be sold and made assets for the discharge of the of the debts, and demands outstanding against said estate. And further proceedings herein are Continued

George Peck's
Estate

Comes now the administratrix and on her motion this estate is Continued.

George Hedrick's
Estate

Comes now Simon T. Hadley, Commissioner and gives the Court to understand and be informed that he has not sold or disposed of the Lands of the decedent, heretofore Ordered to be sold. Wherefore it is Ordered the said Simon T. Hadley Commissioner as aforesaid sell and dispose of said Lands and tenements upon the same terms heretofore Ordered and that he report the same to this Court at the next term, until when this estate is Continued

Thomas Fitz Simmons
Estate

Comes now the administrator and on his motion this estate is Continued.

Daniel Parker's
Estate

Comes now the administrator and makes and files proof to the satisfaction of the court that notice of the insolvency of this estate has been given to the creditors by publication in the Indiana Journal pursuant to the Order of this Court. which proof is in these words and figures (insert) and this estate is Continued

Benjamin E. Pell's
Estate

Comes now said administrator and files proof to the satisfaction of the Court that Notice of the insolvency of this estate has been given to the Creditors by publication for six successive weeks in the Indiana Journal pursuant to the Order of this Court. which said proof is in these words and figures. And this estate is Continued

Anderson A. Pounds
Estate

Comes now Lewis T. Pounds Administrator and files his brief for Settlement of account current whereby he Charges himself with the sum of $168.68¾ and also claims Credits for divers sums of money by him

said and for which he produces vouchers amounting in all to the sum of $159.57 And also says here into Court $9.11 which being added to the amount of Credits, makes the sum of $168.68¾ and fully covers the amount with which said administrator stands Charged, and fully settles the administration of this estate.

Sandy Scott guardian
of Josephus C. H. Simmons

Comes now said guardian and reports that he has received the sum of $
And further proceedings herein are Continued

Jacob Keatt's
Estate

Comes now Joseph Keatt Administrator and files proof that notice of the taking out of Letters of Administration has been given in the Indiana Journal And further proceedings herein are Continued.

Simon T. Hadley guardian
Elijah P. Pierce

Comes now said guardian and Makes the following report (insert) and further proceedings herein are Continued.

Joshua Hadley's
Estate

Comes Simon T. Hadley Admr. and files an Inventory & Sale Bill which are ordered to be recorded And this estate is Continued.

James Glover guardian
of Joseph Gilleland

The the said Joseph Gilleland a Minor over the age of fourteen years Comes now here into Court and files the following petition (in writ) and being permitted thereto Makes Choice of James Glover as Guardian of his estate, which Choice is approved by the Court, and the said James Glover Comes here into open Court and accepts of the appointment of Guardian as aforesaid and files his bond in the sum of two hundred dollars with security which is approved by the Court. and is sworn as such guardian

Lucinda Pepus
vs
Harman Heatt
In Chancery

Came now the Complainant by Nave her Solicitor and files her Bill of Complaint in these words and figures (insert) whereupon it is Ordered that the said Harmon Heatt be subpoenaed Summoned to appear at the next term of this Court and answer said Bill And this Cause is Continued.

And Court Adjourned until tomorrow Morning Nine Oclock

James McClure

February Term 1842

Friday Morning February the Eighteenth in the year Eighteen hundred and forty two Court in Session pursuant to adjournment

Present as yesterday

Jeremy S. Anderson Guardian
of Margaret Jane Hamm

On petition of Joseph Anderson here filed, Jeremy S. Anderson is appointed guardian of the person and estate of Margaret Jane Hamm an infant under the age of fourteen years And the said Jeremy S. Anderson Comes here into Court and accepts the appointment of guardian as aforesaid. and enters into bond in the sum of five hundred dollars with security to the acceptance of the Court and is sworn as such guardian. further proceedings herein are Continued.

Simon T. Hadley guardian
of Andrew Peirce Heirs

On Motion to the Court Simon T. Hadley is appointed guardian of the person and estates of Lucinda Peirce, Matilda Peirce Sibyl L. Peirce and William Peirce. and for the estates of Serena Peirce and Mahala Peirce. And the said Simon T. Hadley Comes Now here into Court and accepts the appointment, and files his bond in the sum of five hundred dollars with Security to the acceptance of the Court and is duly sworn as such guardian And further proceedings herein are continued

James Walls
Estate

The Clerk of this Court having taken proof of the last will and testament of the said James Walls, and issued letters testamentary to Davis Boswell and Abraham Bland, the executors therein appointed in and by said Will in vacation of the Court, and the same being examined and inspected. it is Ordered and Adjudged that the Proceedings of the Clerk be in all things Confirmed. And this estate is Continued.

Robert Milhouse's
Estate

The Clerk of this Court in vacation having taken proof of the last will & testament of the said Robert Milhouse and issued letters testamentary to Samuel Milhouse one of the executors appointed in and said will, and the same being now examined and inspected by the Court it is Ordered that the proceedings of the Clerk in the Premises be in all things Confirmed. And further proceedings herein are Continued. An Inventory is now presented, inspected and Ordered to be recorded. And further proceedings herein are Continued.

John Hollingsworth's
Estate

The Clerk of this Court having in vacation granted and issued letters of administration on the estate of the said John Hollingsworth to John Miles, and the same being now examined and inspected by the Court it is Ordered and adjudged that the proceedings of the Clerk in the premises be in all things Confirmed. And further proceedings herein are Continued

John G. Smith's
Estate

The Clerk of this Court having in vacation granted and issued letters of Administration on the estate of John G. Smith to John Turner And the same being now examined and inspected by the Court, it is Ordered and adjudged, that the proceedings of the Clerk in the premises be in all things Confirmed. And further proceedings herein are Continued.

William C. Smith's
Estate

The Clerk of this Court having in vacation granted and issued letters of Administration on the estate of the said William C. Smith to William Turner. And the same being now examined and inspected by the Court, it is Ordered and adjudged that the proceedings of the Clerk in the premises be in all things Confirmed And an Inventory is now presented, inspected and ordered to be recorded. further proceedings herein are Continued

Isab Hadley's Estate

The Clerk of this Court having issued and granted letters of Administration in this estate to John Delsup in vacation And the same being now examined and inspected by the Court. it is ordered and Adjudged that the proceedings of the Clerk in the premises be in all things Confirmed

Recorded

Lovy Briggs Estate

Comes now the Administrator and files an Inventory & Sale Bill which are examined and Ordered to be recorded. And further proceedings herein are Continued.

Samuel Shannon's Estate

An Inventory and Sale Bill of the personal property of this estate is now presented to the Court, examined and ordered to be recorded. Also an Inventory of certain real estate. And further proceedings herein are Continued.

Pemberton S. Dickus Guardian of James W Jordan (alias Black)

Comes now the said James W. Jordan and files his petition herein (time insert) and the proof and allegations being heard and understood. It is considered

that the said Pemberton S. Dickus has failed and neglected to perform and discharge the duties and trusts committed to him as guardian of the person of the said James W. Jordan. alias James W Black. Wherefore it Ordered & adjudged that the the appointment of guardian and letters hertofore granted and issued to the said Dickus are revoked annulled & made void.

Joseph Waddle's Estate

It is suggested to the Court that Julia Ann Waddle Administratrix of this state, has left the state of Indiana and gone to parts unknown. Wherefore the letters of Administration heretofore issued and granted unto the said Julia Ann are revoked. And Simon S. Hadley is appointed Administrator in room and place of the said Julia Ann. And the said S. Hadley now files his bond in the sum of four hundred dollars with security to the acceptance of the Court and is sworn as such Administrator. And further proceedings herein are Continued.

The State of Indiana for the use of Henry McNories Adm. &c of the estate of George Hedrick dec'd vs Thomas C. Gray & William Shannon

Debt

Came now the parties by their attorneys and the Court being sufficiently advised in the premises do overrule the motion in arrest of judgment and thereupon the defendants file two demurrers to the breaches assigned of record by the plaintiff as follows (insert) and the plaintiff

take off of file

moves the Court to ~~expunge~~ the demurrer aforesaid, which motion is overruled. Thereupon the said plff files her bill of Exceptions (insert) And an order of Court that the plaintiff is ruled to join in demurrer and thereupon now the plaintiff files her demurrer as follows (insert) And the premises being seen and understood by the Court, it is Considered that the said first and Second breaches ~~assigned~~ surplusa as aforesaid are not sufficient in law for the plaintiff to have and maintain her action aforesaid against the said defendant. It is therefore Considered by the Court that the defendant recover against the plaintiff their Costs and Charges herein laid out and expended taxed at Dollars and Cents to be levied of the goods and Chattels of the said decedent now in the hands of the said Henry McVorris administrator as aforesaid to be administered And the plaintiff now files her Bill of exceptions in the words and figures following (insert)

Reason Reagan guardian
of Cairy Reagan infant son of
Jesse Reagan
vs
John Reagan

Petition for Partition of real Estate

Came now Reason Reagan guardian of the said Cairy Reagan and files his petition in the words & figures following, towit: (insert) And thereupon the said John Reagan Comes here into Court and enters his appearance herein, and waives all error for the want of Notice Whereupon the Court by and with the Consent as well of the said John Reagan as of the Consent of the said Reason Reagan guardian as aforesaid, appoint John Jessup, Jesse Kellum and Robert Millhouse Commissioners to lay off and make partition of the Lands mentioned and described in the said petition. And thereupon the following writ of partition is sued (insert) which writ

was afterwards returned by Joshua O. Parker sheriff with the following endorsement thereon written (insert return) And Now Came here into open Court the said Commissioners And make, file, and acknowledge the following report towit: Cary Reagan by his Guardian Reason Reagan vs John Reagan. Hendricks Probate Court. Partition. We, the undersigned Commissioners appointed in this case to make partition of the following described premises between Carey Reagan and John Reagan sons of Jesse Reagan deceased to wit: The East half of Section Eight in Township fourteen North of Range two East, also so much of the East half of the North West quarter & the East half of the South West quarter of said Section Eight in the Township & Range aforesaid lying East of the East fork of White Lick Creek (except what has heretofore been deeded by Dempsey Overman to the Society of Friends for the use of a meeting house taken off of the S.E. Corner of S.W. quarter & the S.W. Corner of the West half S.E. qr) estimated to contain four hundred & thirty seven acres lying in the County of Hendricks; Also the following in the County of Marion to wit: The North half of the North West quarter of Section Sixteen in the Township & Range aforesaid estimated to contain eighty acres as described in the writ to which this is attached: Having been sworn (affirmed) upon actual view of the premises do assign & set off to the said Carey Reagan in severalty for his share or part of said Lands the South East quarter & East half of East half of the South West quarter of Section Eight in Township fourteen North of Range two East (with the Exception of the above Exception for a Meeting house) estimated to contain about one hundred & ninety seven acres. And do also set off & assign to the said John Reagan in severalty for his share or part of said Lands the North East quarter of Section Eight in Township fourteen North of Range two East & so much of the East half of the North West quarter & the West half of the East half of the South West quarter of said Section Eight as lies East of the East fork of White Lick Creek, estimated to contain two hundred & forty acres: And also the North half of the North West quarter of Section Sixteen in Township fourteen North of Range two East in the County of Marion estimated to contain Eighty acres. And we further find that the said Carey Reagan is a minor as described in the foregoing petition in this cause. Given under our hands & seals this the 18th day of February A.D. 1842. (Signed) John Jessup [Seal] Jesse Kellum [Seal] Robert Millhouse [Seal] which said report is accepted by the Court and here ordered recorded. And the said parties now present to the satisfaction

of the Court that the said Cary Reagan and John Reagan are the only heirs of the estate of the said Jesse Reagan. And that the premises mentioned in said report are correctly described, and are Lands of which the said Jesse Reagan died seized. And the said Reason Reagan as guardian of the said Cary Reagan, and John Reagan in his own proper person Came here into Court and accept of said partition so made as aforesaid and acknowledge themselves Contest therewith.

William Faught guardian
of Elizabeth Jane Stevenson

The said guardian having been duly Summoned to appear in this Court on the first day of the present term and report the Condition of the estate of his said ~~estate~~ ward, and having failed to appear and report as aforesaid It is therefore Ordered that an attachment issue against said guardian, returnable to the first day of the next term. And upon Service thereof that he be required to enter into a recognizance in the sum of fifty dollars with one Security (jointly) for his appearance in this Court on the first day of the next term to answer for a Contempt in refusing to obey & appear when Summoned. and further proceedings herein are Continued

On Motion of Henry M. Voris, Proof of him addand to the Court It is Ordered to be Certified that ~~that~~ Mr. Fitzgerald of Danville Hendricks County Indiana is a Man of good Moral Character

And Court Adjourned until tomorrow Morning Eight O'Clock

Signed Saturday Morning February the Nineteenth in the Year Eighteen hundred And forty two

James McClure

Vacation

Joseph A. Craig's Estate

Be it remembered that on this 22nd day of Febmary 1812 letter of Administration on the estate of Joseph A. Craig an granted and issued by the undersigned Clerk of the Hendricks Circuit Court, to John Harris, and the said John the having filed his bond with sufficient security is now duly Sworn as said administrator.

Attest I. M. Gregg clerk

May Term A.D. 1842

William H. Cash and John Cash
Administrators of the Estate of William M'Kaman deceased
vs
Jesse Kennedy & others heirs to said Estate

Petition for Sale of Real Estate

Comes now the administrators of said Estate by Norris their Attorney and suggests to the Court that publication and notice of the pendency of the petition or memorial herein for the sale of said Estate has not been given to said heirs pursuant to the order of this Court at the last term thereof And thereupon on Motion of said Attorney it is Ordered that notice of the pendency of said petition be given pursuant to the Order of this Court made at the last Term thereof to said heirs and further proceedings herein are continued

George D. Hedricks Estate

Comes now Simon T. Hadley the Commissioner appointed herein to make sale of Certain real Estate herein and files the following report of sale (viz) which report being read and heard is approved And it is considered and adjudged by the Court that the sale so made as aforesaid be in all things confirmed And it is further ordered that the proceeds of said sale (the note now here in Court) be delivered over to, and made assets in the hands of the administrators of said Estate for the purpose of discharging the debts outstanding against said Estate and being otherwise administered according to law. and further proceeding herein are continued. And the said Commissioner Simon T. Hadley is allowed Eight Dollars for his services in the premises

May Term A.D. 1842

Joseph Waddles Estate

Comes now Simon T. Hadley Administrator of said Estate and files the following report (here insert) and further proceedings herein are continued

Benjamin C. Bells Estate

Ordered that a Citation Issue against Mordecai G Taylor Administrator of said Estate requiring him to be and appear in this Court on the first day of the next term thereof to render an account of his administration in the premises and further proceedings herein are continued

Simon T. Hadley Guardian Thomas Gilleland's heirs

Comes now the said Guardian and makes the following report (insert) and further proceedings herein are continued

Gideon Hufford and Milton F. Barlow
Administrators of the Estate of Enoch Barlow deceased vs
The Creditors of said Estate

Complaint of Insolvency

Comes now the said Administrators of said Estate and make and file proof of the publication of the insolvency of said Estate made pursuant to the order of this Court at the last Term thereof and further proceeding herein are continued

May Term A.D. 1842

Allen Stouks Estate

Comes now Sally Stout administratrix of said Estate and makes and files Proof of the grant of Letters of administration herein and further proceedings are continued

Lucy Vespus vs Harmon Hiatt

In Chancery

Now comes the Complainant by Nave her solicitor and on his motion this cause is continued.

Sarah Free Widow of William Free deceased vs Jachom Woodard, Polly his wife, John Roy & Sarah his wife, Isaiah Free, Daniel Free, Priscilla Free, John Free, Matilda Free, Susannah Free, Claiborn Free & William Free

Petition for Dower

Comes now the said Free the petitioner herein and files her petition herein in these words (here insert) the said petitioner also makes and files proof of the publication of the notice of the filing and pendency of said petition pursuant to law whereby it appears that the said defendants have been notified according to law And thereupon Jachom Woodard, Polly Woodard (his wife) John Roy & Sarah Roy (his wife) & Isaiah Free, the defendants, are thrice solemnly called but comes not and herein make default and

May Term A.D. 1842

thereupon the said petition as to the said defendants defaulted is taken as confessed & held as stated And on motion of said John Free is appointed Guardian ad litem for the infant defendants Daniel, Priscilla, John, Matilda, Susannah, Claiborne and William Free to answer the said Petition and the said John Free Guardian ad litem as aforesaid now comes into Court accepts said appointment and files the joint answer of the aforesaid infants Daniel, Priscilla, John, Matilda, Susannah, Claiborne and William Free in the following words (here insert) and the Proof and allegations of the Petitioner being heard, It is considered by the Court that the said Sarah Free is well entitled to Dower in the premises mentioned and described in said petition Whereupon it is Ordered that Eldred Kluff, Thomas Nichols and Edmund Clark be and they are hereby appointed Commissioners to lay off and assign to the said Sarah Free Dower in the premises mentioned and described in said petition and report the same to the next term of this Court And further proceedings herein are continued

And Court adjourned until tomorrow morning Nine Oclock

James McClure

May Term A. D. 1842

Tuesday Morning May the 10th in the year Eighteen hundred and forty two

Court in Session pursuant to Adjournment

Present the same as Yesterday

Solomon Blair Guardian
Caleb Lowders Heirs

Comes now said Guardian and makes and files a report together with three receipts therein referred to which said report is in the following words (here insert) and further proceedings herein are continued

John Thompson
Estate

Now comes Nave the Attorney for the Administrator and Charles F Wilcox comes and files an account of Four dollars Eighty seven and a half cents which is allowed

Michael Robbins
Estate

Comes now Bob Osborn administrator of said Estate by Nave his attorney and his motion and for cause in writing shewn this Estate is continued

May Term A. D. 1842

David McDaniels
Estate

Recorded

Now comes Bob Osborn Administrator of said Estate and files his petition shewing cause for a continuance and thereupon further proceedings herein are continued

William Frees
Estate

Comes now John Free administrator of the Estate of said deceased and Sarah Free & John & Sarah Roy the resident defendants the married Defendants & who are of lawful age to the petition for the sale of real Estate herein filed personally comes also into Open Court and waived the issuing and service process and enter their appearance and Simeon F Hendley Guardian ad litem for the infant Defendants Daniel, Priscilla, Mahiteta, John, Susannah Claiborne and William Free now files their joint answer to said petition (here insert) And on due consideration and Examination of the premises It is Ordered that Eldred Huff be and he is hereby appointed Commissioner to make sale of the premises in said petition mentioned. And it is further ordered that the said commissioner before offering the said property to sale shall give the same notice of the time and place of sale as is required to be given of the sale of real Estate upon Execution And that he may sell the same either at public or private sale on a credit of Six and Twelve months in equal instalments taking the purchasers note with good security for the payment of each instalment and it is further ordered that the said commissioner at the time of sale Execute to the purchaser a

May Term A.D. 1842

a Certificate of purchase stating the amount of sale and that the purchaser on the payment of the purchase money will be entitled to a deed for the premises provided said sale be confirmed by this Court and that in case said sale be set aside he will be entitled to a return of his notes and it is further ordered that said Commissioner make report of his proceedings in the premises to this Court at the next term and depoite the avails of the sale therein and further proceedings herein are continued

John Fitzsimmons
Estate

Comes now William Pearson Administrator of said Estate and on his motion this Estate is continued.

Daniel Barkers
Estate

Now comes John Sawrence Administrator of said Estate And on his motion further proceedings therein are continued

David Vestals
Estate

Comes now the administrator herein and his motion this Estate is continued

May Term A.D. 1842

Moses Cavett Guardian
of Bronaugh Children

Comes now the said Guardian and makes and files a report together with vouchers numbered from 1 to 3 both inclusive therein referd to (here insert) which report being sustained by satisfactory evidence to the Court here adduced is allowed and ordered to be placed to the credit of said Guardian

Joseph Hiatt Guardian
Jacob Hiatt Senator

Comes now Joseph Hiatt Guardian as aforesaid and files his report or Exhibit of Settlement herein (here insert) together with the Vouchers therein referd to numbered from 1 to 23 both inclusive whereby it appears that he has fully settled up and closed his said Guardianship Ordered therefore that he be discharged as such Guardian

And Court adjourned until tomorrow morning Nine Oclock

James McClure

May Term A. D. 1862

Wednesday Morning May the 11th A.D. 1862 Court in Session pursuant to adjournment. Present the same as Yesterday

James Stobaugh Guardian of the Estate and person William Gamble an Idiot,

On the application of James Stobaugh, Guardian of the person and Estate of William Gamble an Idiot, It is ordered that William Morris John Malone and Samuel Melogue, be appointed appraisers to appraise the Lot Numbered four containing twenty Acres lying and being in the County of Hendricks and State of Indiana the same being that portion of the real Estate of Josiah Gamble deceased, which was duly assigned and set over to the said William Gamble on the partition of said Real Estate of the said Josiah Gamble deceased amongst his widow and several heirs and Legatees and to make report of such appraisement to this Court at the present term thereof

James Stobaugh Guardian of the person and Estate of Margaret Gamble an Idiot

On the application of James Stobaugh Guardian of the person and Estate of Margaret Gamble an Idiot It is ordered that William Morris, John Malone and Samuel Melogue be appointed appraisers to appraise the Lot numbered

May Term A. D. 1862

Eight containing twenty Acres lying and being in the County of Hendricks and State of Indiana the same being that portion of the real Estate of Josiah Gamble deceased which was duly assigned and set over to the said Margaret Gamble on the partition of said real Estate of said ~~real Estate~~ of the said Josiah Gamble deceased amongst his widow and several heirs and legatees and to make report of such appraisement to this Court at the present Term thereof

James Stobaugh Guardian of the person and Estate of Samuel Gamble an Idiot

On the application of James Stobaugh Guardian of the person & Estate of Samuel Gamble an Idiot It is ordered that William Morris John Malone and Samuel Melogue be appointed appraisers to appraise the Lot numbered Seven containing twenty acres lying and being in the County of Hendricks and State of Indiana the same being that portion of the real Estate of Josiah Gamble deceased which was duly assigned and set over to the said Samuel Gamble on the partition of said real Estate of the said Josiah Gamble deceased amongst his widow and several heirs and legatees and to make report of such appraisement to this Court at the present term thereof

Jacob Hiatts Estate

Comes now Joseph Hiatt Administrator of said Estate and files a report charging himself as such administrator with the sum of two hundred & thirty three Dollars & 52 ct. (See innot it) and further proceedings herein are continued

May Term 1842

Edward Strange guardian
of Polly Ann & Sarah Jane Payne

It appearing to the Court that the bond of said guardian is insufficient to secure the estate of said infants. It is therefore ordered that the said Edward Strange guardian as aforesaid enter into bond with other security for his guardianship. Whereupon the said Edward Strange Came here into Court and enters into a bond in the sum of twelve hundred dollars, with John C. Shannon & Russel W. Shannon his securities, which said bond is approved by the Court. And further proceedings herein are continued.

And Court adjourned until tomorrow Morning Nine Oclock

Davies McClure

May Term 1842

Thursday Morning May the 12th in the year Eighteen hundred and forty two

Court in session pursuant to adjournment

Present the same as yesterday

James Stobaugh guardian
of Samuel Gamble an Idiot

Comes now the said guardian and the appraisers heretofore appointed and make and file the following appraisement towit. We the undersigned appointed by the within order to appraise the premises therein described having been duly sworn according to law, do report that on due ~~under~~ consideration and examination of the premises we are of opinion that the said Land with the appurtenances is worth Sixty dollars and do appraise the same accordingly, May 11th 1842

John his x Malone
Samuel mark Mclogue
William Morris

And thereupon it is ordered adjudged and decreed that the lot of land aforesaid be sold for Cash in hand at private Sale and for the purpose of effecting said Sale James Stobaugh is appointed a Commissioner to sell the lot of land aforesaid with the appurtenances thereunto belonging subject to the confirmation of this Court and that he make report of his proceedings at the next term of this Court. And further proceedings herein are Continued

James Stobaugh guardian
of Margaret Gamble an Idiot

Comes now the said guardian and the appraisers heretofore appointed and make and file the following appraisement, towit. We the undersigned appointed by the within order to appraise the premises therein described having been duly sworn according to law, do report that

on due Consideration and examination of the premises We are of opinion that the said land with the appurtenances is worth Sixty dollars and do appraise the same accordingly. May 11th 1842. John his x Malone mark
William Morris
Samuel Melogue

And thereupon it is ordered, adjudged and decreed that the lot of land aforesaid be sold for cash in hand at private sale, and for the purpose of effecting said sale James Stobaugh is appointed a Commissioner to sell the lot of Land aforesaid with the appurtenances thereunto belonging subject to the Confirmation of this Court, And that he make report of his proceedings at the next Term of this Court. And further proceedings herein are Continued.

James Stobaugh guardian of
William Gamble an Idiot

Comes now the said guardian and the appraisers heretofore appointed and make and file the following appraisement, towit, We the undersigned appointed by the within order to appraise the premises therein described having been first duly Sworn according to law, do report that on due Consideration and examination of the premises, we are of opinion that the said with the premises is worth Sixty dollars and do appraise the Same accordingly: this 11th day of May 1842.
John his x Malone mark
Samuel Melogue
William Morris

And thereupon it is ordered, adjudged and decreed that the lot of Land aforesaid be sold for Cash in hand, at private Sale, And for the purpose of effecting said Sale James Stobaugh is appointed a Commissioner to Sell the lot of

land aforesaid with the appurtenances thereunto belonging Subject to the confirmation of this Court. And further proceedings herein are Continued

Philip R. Ellis's
Estate

Comes now James Green administrator and files his Memorial shewing the insolvency of this estate in the words and figures following (insert) And the premises being seen and the Court sufficiently advised in the premises It is Ordered that the Creditors of this Estate, be Notified of the filing and pendancy of said Memorial by publication in the Indiana Journal a public Newspaper printed and published at Indianapolis in Marion County. And this Cause is Continued

George Merritt guardian
of Charles Merritt

Ordered that a Citation issue against said guardian requiring him to report the Condition of the Estate of his said ward, on the first day of the next term of this Court. And this Cause is Continued.

John Montague's
Estate

Ordered that a Citation issue against Henry C. Perry administrator of this estate, requiring him to appear on the first day of the next term of this Court and settle this estate or Shew Cause why the same cannot be settled. And this estate is Continued

Thomas Veach guardian
of Benjamin Veach's heirs

Ordered that a citation issue against said guardian requiring him to appear in this Court on the first day of the next term and give bond with other security for his guardianship And also report the condition of the estate of his wards And further proceedings herein are Continued

Enoch Davis guardian
of Nancy Jane Monhard

Ordered that a citation issue against said guardian requiring him to appear and report the condition of the estate of his said ward on the first day of the next term of this Court And further proceedings herein are Continued

William P Wright guardian of
Crockett Hedge

Ordered that a citation issue against said guardian requiring him to appear in this Court on the first day of the next term and enter into a bond with security for his guardianship
And further proceedings herein are Continued

Edward Ellis's
Estate

Ordered that Clayton T. Swindler Administrator of this estate be Summoned to appear in this Court on the first day of the next term to enter into bond with other security for the faithful discharge of the trusts committed to him as such administrator And further proceedings herein are continued.

And Court adjourned

Signed May 12th 1842

James McClure

Vacation Entries

Valentine Sturman's Estate

Recorded

Be it remembered that on this 13th day of May 1842 Letters of administration on the estate of Valentine Sturman late of the County of Hendricks and State of Indiana, deceased are granted and issued by me the undersigned Clerk of the Probate Court of said County, to unto Silas Hardwick, he having first produced and filed the renunciation of the widow of said deceased And the said Silas Hardwick now files his bond with security And is duly sworn as Administrator of said estate,

Attest, D. M. Gregg clerk

Rosannah Dunn's Estate

Record Book

Be it remembered that on this 11th day of July 1842 Letters of administration on the estate of Rosannah Dunn, late of the County of Hendricks and State of Indiana, deceased, are granted and issued unto William W. Matlock by me the undersigned Clerk of the Probate Court of said County And the said William W. Matlock now files his bond with security and is duly sworn as Administrator of said estate

Attest D. M. Gregg clerk

John Sincher's Estate

Be it remembered that on this 9th day of July 1842 Letters of administration on the estate of John Sincher late of the County of Hendricks and State of Indiana, deceased, are granted and issued by me the undersigned Clerk of the Probate Court of

said County, unto George Sincher, he having first produced and filed the renunciation of the widow of said deceased And the said George Sincher now files his bond with security And is duly sworn as Administrator of said estate

Attest, D. M. Gregg clerk

August Term 1842

~~Mond~~ At a Term of the Hendricks probate Court begun and held at the Court House in Danville on Monday the Eighth day of August in the year Eighteen hundred and forty two Present the Honorable James McClure sole Judge of said Court

Recorded

Robert Gossett's Estate

Comes now the administrators and for cause here shewn in writing this estate is Continued.

Nathan Merredith Guardian

Comes now the said guardian and files the following report to-wit (insert) and also files the receipt of his said ward for the sum of $70.17 and Simon S. Hadley receipt for $1. clerks fees which Covers the amount with which said guardian stands Charged. And it appearing to the satisfaction of the Court that the said Alfred B. Pegg is over twenty one years of age and that he has received from his guardian the full amount with which said guardian stands charged ~~It is therefore ordered that said guardian be discharged~~ But because the Clerks fees have not been paid this Matter is Continued.

August Term 1842

Michael Robbins Estate

Comes now the Administrator and for cause shewn this Estate is continued

John Montaguis Estate

Comes the administrator by Nave his attorney and on his motion this estate is Continued.

John Plaster's Estate

Comes now the Administrator by Nave his attorney and for cause shewn this Estate is Continued

Samuel Jones's Estate

Ordered that a Citation issue returnable at the next term of this Court, requiring said Executor to appear and settle this estate & further proceedings herein are continued.

David Fox's Estate

Comes now Thomas Higgins administrator and pays here into Court fifteen dollar in cash. and this Estate is continued.

August Term 1842

John Poak's Estate

Comes the administratrix by Neve her attorney and for cause here shewn in writting this Estate is Continued.

William M. Hamer's Estate

Petition to Sell real estate

Comes now the said Administrator and make & file proof by the affidavit of Simon T. Hadley that Samuel Hamer, Samuel Jones, Anna Jones, Leonard Carnes, Sarah Carnes, John Hamer Jr. Washington Hamer, James Hamer, Joseph R. Hamer, Samuel Trill, Rebeca Trill, John Hamer Sen. and Sabina Hamer (all of whom are nonresident heirs of this estate) have been duly notified of the pendency of said petition by three successive publications in the Indiana State Sentinal, the last of which was made more than Sixty days before the first day of this term, and which said notice & affidavit is in these words (insert) whereupon the said nonresident heirs so notified as aforesaid are three times severally Called but make default. It is therfore ordered adjudged & decreed that the said petition and the matters and things therein Contained as to the said nonresident heirs be taken as confessed and held to be true. And on motion of said Administrator, further process is awarded against Elsa Kennaday, Sarah Kennaday, Andrew Hamer & Lewis Hamer. and this Estate is Continued.

August Term 1842

Benjamin C. Bell's Estate

Comes now Henry M. Norris one of the attorneys of this Court, and gives the Court to understand & be informed that since the last term and before this day Mordecai S. Taylor, the Administrator of this estate died. Whereupon James Green is appointed Administrator de bonis non, And the said James Green now files his bond with Henry M. Norris his security which is approved by the Court, and the said Green is sworn as such administrator.

Willis Faught guardian Stephen Green

Comes now Stephen Green a minor under the age of twenty one years and files his petition (insert) and being permitted to chose a guardian, selects and Choses Willis Faught. Whereupon the said Willis Faught is appointed guardian of the person of the said Stephen Green, and the said Faught now files his bond in the sum of One hundred dollars with Stephen C Crawford his security, which is approved by the Court, and the said Willis Faught is sworn as such guardian

Lucy Lespus vs Harmon Hiatt

In Chancery

Came the parties by their attorneys and by their agreement this cause is Continued.

August Term 1812

Sally Hancock widow of George Hancock dec.d
vs
William Hancock, Polly Hancock, George S. Hancock, Elizabeth Hancock, Nancy Hancock, & Samantha Hancock heirs of the decedent

Petition for Dower

Comes now the said Sally Hancock, and files her petition for dower in these words (insert) & also makes and files proof by the affidavit of Simon S. Hadley, that notice has been given by publication in the Indiana Journal a weekly newspaper printed and published at Indianapolis, of her application for the assignment of Dower in the following premises of which her husband died seized towit The South West quarter of the South East quarter of Section thirty three in Township fifteen North, of Range two West, which said Notice & affidavit is in these words (insert) And thereupon William Hancock one of the above defendants is thrice called but makes default, And on motion to the Court John Hancock is appointed guardian ad litem for the said George S. Polly, Elizabeth, Nancy and Samantha, who are infants. And the said John Hancock now files his answer in these words (insert) And the Court being sufficiently in the premises it is considered that the said Sally Hancock is well entitled to dower in the premises aforesaid. It is therefore ordered that Eleazer Kersey Silas Bryant & William Garrison be appointed Commissioners to lay off and assign dower in the premises aforesaid to the said Sally Hancock, and that they report the same to the next Term of this Court.

August Term 1812

Enoch Darlow's Estate

Comes now Eldred Huff Commissioner heretofore appointed to make sale of certain real Estate belonging to this Estate and files the following report (insert) And on motion of the administrators by Voris their attorney, it is ordered that the said Eldred Huff be continued a Commissioner to make sale of said Lands upon the same terms, conditions & restrictions as heretofore Ordered and that he report his proceedings to the next term of this court. and this estate is Continued

William Free's Estate

Comes now Eldred Huff Commissioner heretofore appointed to make sale of certain real estate and makes and files the following report (insert) And on motion it is Ordered that said Huff be Continued as such Commissioner and authorized & required to make Sale of the said Lands upon the same terms, Conditions and restrictions heretofore Ordered and that he make report of his proceedings to the next term of this court.

Sarah Free widow of William Free
vs
Jackson Woodard, Polly Woodard, John Roy, Sarah Roy, Isaiah Free, David Free, Priscilla Free, John Free, Matilda Free, Susanna Free, Claiborn Free, & William Free

Petition for Dower

Comes now Eldred Huff & Edmund Clark two of the Commissioners heretofore

August Term 1842

Appointed to set off and assign dower to Sarah Free widow of William Free, in certain Lands of which the said William died seized, and make & file the following report towit: " State of Indiana Hendricks County. Hendricks Probate Court, August Term thereof A.D. 1842. We the undersigned Commissioners appointed at the May Term of said Hendricks Probate Court to assign dower to Sarah Free widow of William Free, late of Hendricks County and State of Indiana, deceased, in the following real estate, situate and being in the county of Hendricks and State of Indiana (towit) The NW¼ of the NE¼ of Section 24 Township 16 North of Range one East, The N½ of the NW¼ of the same Section & Township aforesaid, the W½ of the NW¼ of Section 23 Township & Range aforesaid, the W½ of the SW¼ of Section 14, Township & Range aforesaid, lying and being in the county of Hendricks and State aforesaid, and having been duly sworn, upon actual view of the premises, do assign to the said Sarah Free for her dower estate so much of said Lands as is contained within the following limits (towit) The W½ of the NW¼ of Section 14 Township 16 Range 1 East, and the N½ of the NW¼ of the SW¼ of Section 23 Township & Range aforesaid. Given under our hands and seals this 8th day of August A.D. 1842.

Eldred Huff Seal
Edmund Clark Seal
Commissioners

Commissioners fees
E Huff $3.00
E Clark 3.00
$6.00

Which said report the Commissioners Huff & Clark now here in open court acknowledge and the report of said Commissioners being examined and understood by the court it is ordered and adjudged that the said Sarah Free have and hold the premises so assigned and set off by the commissioners aforesaid as and for her dower in the premises Lands, tenements and hereditatements of which the said William Free died seized. And it is further ordered and adjudged that the said Sarah Free recover against the said defendants her costs herein laid out and expended, taxed at dollars and cents to be levied of the assets in the hands of the Administrator of the estate of said William Free belonging to said estate

August Term 1842

Solomon Rushton
vs
Matilda Hedrick
} Assignment of Dower

Comes now the said Solomon Rushton and files the following assignment of dower, towit: " State of Indiana, Hendricks County ss. We the undersigned freeholders and citizens of said County, and not of kin to either the said Matilda Hedrick widow of George Hedrick deceased, or the said Solomon Rushton, the now owner of the Land hereinafter described and of which the said George Hedrick died seized in fee, after having been duly sworn by Job Turner Esq a Justice of the Peace in and for said County, to duly, faithfully, and impartially assign and set off to the said Matilda Hedrick (widow of the said George Hedrick deceased) the full and equal third part of all the Lands, tenements and hereditaments, the legal title to which vested in the said George Hedrick or any other person to his use at any time during the coverture of the said George and the said Matilda, did on the 16th day of July 1842 in pursuance of said oath and the law of the land and at the request of the said Solomon Rushton, duly assign and set off to the said Matilda Hedrick widow as aforesaid, the full and equal third part of the East half of the South West quarter of Section thirty in Township fifteen North of Range two West, as follows, towit: Beginning at the North west quarter, thence South 30 polet to a stake between two Buckeyes, thence East 66½ polet to the east line of the above named land, thence North 30 polet to North East corner of the above named lot of Land to a stake, thence West to the beginning all according to the form of the Statute in such case made and provided. Given under our hands and seals this 8th day of August 1842.

Robt Ragan Seal
Asahel Mann Seal
Daniel Liming Seal

State of Indiana, Hendricks County ss. By the oath of Robert Ragan, Daniel Liming & Asahel Mann,

August Term 1842

three judicious disinterested freholders of said County who are not of Kin to either of the parties (Matilda Hedrick and the said Solomon Rushton,) who after being duly sworn by Job Turner Esq a Justice of the Peace in and for said County, I Solomon Rushton the owner of said estate of which the said George Hedrick died seized, towit: The East half of the South West quarter of Section thirty in Township fifteen North of Range two West, have this day, towit, on the 16th day of July 1842, caused to be set off and assigned to the above named Matilda Hedrick widow of the aforesaid George Hedrick, as her dower estate in the land above described, towit, so much of said real estate above described as is contained within the following boundaries, towit: Beginning at the North West quarter corner, thence South 30 poles to a Stake, between two Buckeyes, thence East 66 and a half poles to the East line of the above named land, thence North 30 poles to North East corner of the above named lot of Land to a Stake, thence West to the beginning.

Robert Ragan
Daniel Liming
Asahel Mann

Which apignment of dower to the said Matilda Hedrick widow as aforesaid in the land aforesaid, I the said Solomon Rushton do hereby acknowledge and confirm to the said Matilda Hedrick during her natural life all according to the requisitions of the Statute in such case made and provided: Witness my hand and Seal this 16th day of July 1842.

Solomon Rushton [Seal]

And Court adjourned until tomorrow morning nine Oclock

James McClure

Tuesday Morning Nine Oclock August the Ninth in the year Eighteen hundred & forty two Court in Session Pursuant to adjournment. Present the same as yesterday.

John L. Smith's Estate

Comes now Christian C. Nave One of the attorneys of this Court and suggests & gives the Court here to understand & be informed, that Since the granting of letters of administration in this estate to John Turner, and before this day the said John Turner departed this life. Whereupon William Turner is appointed administrator de bonis non, And the said William Turner comes here into Court and accepts said appointment and files his bond in the sum of One Thousand dollars with Preston Pennington his security, which is approved by the Court, and the said William is duly Sworn as such administrator And the said Administrator now files a Sale Bill in these words which is ordered to be recorded (insert) And this estate is Continued.

William C. Smith's Estate

Comes now William Turner administrator and files a Sale Bill in these words & figures towit. Ordered that said Sale bill be recorded. And this estate is Continued

Valentine Steerman's Estate

Recorded

The Clerk of this Court having granted and issued letters of Administration on this estate to Silas Haldrick in vacation, and the proceedings & acts of the Clerk being examined and inspected by the Court It is Ordered that the acts of the clerk in the premises be in all all things Confirmed. and the said administrator now presents to the Court an Inventory, an additional Inventory & Sale Bill which are examined and ordered to be recorded And this Cause is Continued

John Tincher's Estate

The Clerk of this Court having in vacation issued and granted letters of administration on this estate to George Tincher and the acts and proceedings of the Clerk being examined & inspected by the Court, it is considered that the acts & proceedings of the Clerk in the premises be in all things Confirmed

Rosannah Dunn's Estate

Frank C. Mader

The Clerk of this Court having granted and issued letters of administration in vacation on this estate to William W. Matlock and the proceedings of the Clerk in the premises being examined & inspected by the Court it is considered by the Court that the acts and proceedings of the Clerk be in all things Confirmed. And an Inventory taken in this estate by said administrator is now presented to the Court, & also a Sale Bill inspected and ordered to be recorded. And this estate is Continued

Jeremiah Prather

vs

Jesse Stanton

Opinion & Judgment Supr Ct

Comes now the said Jesse Stanton by his attorney and files the following opinion & Judgment of the Supreme Court. Court.

The State of Indiana
Supreme Court November Term A.D. 1841.
Saturday December the 4th A.D. 1841.
Present the Honorable Isaac Blackford
Charles Dewey & Judges
Jeremiah Sullivan

Jesse Stanton
vs
The State of Indiana
ex rel Jeremiah Prather

In error to the Hendricks Probate Court

At this time come the parties by their Counsel & the Court being sufficiently advised of the premises give the following opinion & judgement pronounced by Judge Dewey. Prather, Overseer of the poor of Liberty township in the County of Hendricks, filed a Complaint before the Probate Court of that County, setting forth that Stanton, disregarding his duty as a parent, "wickedly" neglected, for an unreasonable period of time, to provide for his infant children, who were actually in a suffering Condition for the want of the necessaries of life; that Prather in his official capacity had demanded of Stanton his minor children, for the purpose of binding them out as apprentices, to the end that they might be provided for & trained to habits of industry. Stanton pleaded not guilty; whereupon a jury being waived, the Court heard the testimony & found him guilty of the charge alledged against him & ordered that the overseer of the poor take and bind out as an apprentices, according to the poor laws, all the infant

children of Stanton, that could be found in his township. There was also judgement against Stanton for costs. It appears by a report of the Overseer that he did bind out three of minor children as apprentices.

The law authorizes overseers of the poor to "put out as apprentices all poor children whose parents are dead, or whose parents shall be found by the overseers unable to maintain them", provided the parents residing in the County where the proceedings are had, do not object, but if they do object they are to be summoned before the Probate Court to show cause why their minor children should not be bound out, & if they fail to show sufficient cause to the contrary, the Court shall order the overseers to bind out the children in the manner prescribed by law. Rev Stat 1838. 431, 432, 438.

These provisions do not authorize the proceedings, which were had before the Probate Court in this cause. Overseers of the poor have no right to meddle with the children of living parents, unless they be found unable to maintain them. When such is the fact & the parent objects to his child being apprenticed, the Probate Court has a right to act. In the Complaint exhibited against Stanton, there is no allegation that he was not perfectly able to support his family. The charge is that he criminally neglected the wants of his children & that they thereby become sufferers. of this charge he was found guilty, & of none other. However reprehensible his conduct may have been, he did not by mere neglect to perform his duty in providing for his family, subject the disposal of his children to the jurisdiction of the overseer of the poor, nor to that of the Probate Court. The law points out another mode of proceeding against those who neglect the wants of their families.

It is, therefore, considered by the Court that the judgement of the Probate Court be reversed at the costs of Jeremiah Prather, the relator, & that this cause be remanded to said Court, which Court are hereby directed to dismiss the Complaint, all which is ordered to be certified to said Court.

The State of Indiana, ss.
I Henry P. Coburn Clerk of the Supreme Court do hereby certify that the foregoing is a full & true copy of the opinion & judgment of said Court in the above entitled Case.
In testimony where of I have hereto subscribed my name & affixed the Seal of said Court at Indianapolis this first day of February A.D. 1842
H. P. Coburn C.S.C.
Seal
And this Cause is dismissed.

Amos Darnall's
Estate
Come now the Executors and file the following report (insert) And this estate is Continued

Ezekiel Simmon's
Estate
Comes now Simon T. Hadley admr. and for cause Shewn in writing this estate is Continued.

John Capsel's
Estate
Comes Simon T. Hadley admr. and on his Motion & for Cause Shewn this estate is Continued

Philip R. Ellis's
Estate
Ordered that Notice be given to the creditors of this estate by (of (insolvency) by Publication in the Indiana Journal according to the Order herein before made. And this Estate is Continued
Accordd

And Court adjourned until tomorrow morning Nine O'Clock
Samuel McClure

Wednesday Morning August the tenth in the year Eighteen Hundred and forty two Court in Session pursuant to adjournment Present the same as yesterday.

Edward S. Ellis's Estate

Comes now Clayton T. Swindler administrator and files his Complaint stating therein clearly and succintly the Condition of this estate whereby it appears to the satisfaction of the Court that the same is insolvent It is therefore Ordered that the Creditors of this estate be notified of the filing and pendency of said Complaint of insolvency by publication for six Weeks successively in the Indiana State Sentinal a public Newspaper printed & published at Indianapolis Notifying them that unless such they notify the administrator of the existence and extent of their respective claims, by filing the same, or a statement of the nature, description and date of the Contract or Asumpsit upon which the same may be founded, in the office of the Clerk of this Court previous to the final distribution of the assets; their claims will be postponed in favor of the claims of the more deligent Creditors. and this estate is Continued.

Jacob Fox's Estate

Comes now the administrator by his attorney and files a report & on his motion this estate is continued.

And Court adjourned

James McClure

Vacation

William Jackson's Estate

Be it remembered that on this 20th day of August 1842 the last Will and testament of William Jackson late of the County of Hendricks and State of Indiana, deceased, was produced to me the undersigned Clerk of the Probate court of said county, and duly proved according to law by Jesse McMahan the Executor in and by said Will appointed and duly proved according to law; And thereupon Letters testamentary were by me issued unto the said Jesse McMahan he having filed his bond with Security and the said Jesse is now duly sworn as such Executor.

Attest, J. M. Gregg clerk

Joseph Jenkins Estate

Be it remembered that on this 23rd day of August 1842 Letters of administration on the estate of Joseph Jenkins, late of Hendricks County, Indiana, deceased, were granted and issued by me the undersigned Clerk of the Probate Court of said County, unto Eldred Huff, he having previous to said grant produced and filed the renunciation of the widow of said deceased. And the said Eldred Huff now files his bond with security And is duly sworn as Administrator of said estate

Attest J. M. Gregg clerk

Daniel Hartman's Estate

Be it remembered that on this 24th day of August 1842 Letters of administration on the estate of Daniel Hartman, late of the County of Hendricks and State of Indiana, deceased, were by me the undersigned Clerk of the Probate Court of said county, issued and granted unto Christian Hartman, a brother of said deceased. And

Vacation

the said Christian Hartman now files his bond with Security and is duly Sworn as administrator of said estate

Attest J. M. Gregg clerk

Thomas Willson's
Estate

Be it remembered that on this 10th day of October 1842 the last Will and testament of Thomas Willson late of the County of Hendricks and State of Indiana, deceased, was produced to me the undersigned Clerk of the Probate Court and duly proved according to law; And thereupon Letters testamentary were by me the undersigned granted and issued unto Jeremiah Tinder the Executor in said Will appointed and by And the said Jeremiah Tinder now files his bond with Security and is duly Sworn as such Executor

Attest, J. M. Gregg clerk

John Jenkins
Estate

Be it remembered that on this 31st day of October 1842 Letters of administration on the estate of John Jenkins, late of the County of Hendricks and State of Indiana, deceased, are granted and issued unto Joel Hodgin by me the undersigned clerk of the Probate Court of said County, he having first produced and filed the renunciation of the widow of said deceased And the said Joel Hodgin now files his bond with Security and is duly Sworn as Administrator of said estate.

Attest, J. M. Gregg clerk

November Term A.D. 1842.

At a Term of the Hendricks Probate Court began and held at the Court house in the town of Danville on Monday the fourteenth day of November in the year of our Lord one thousand eight hundred and forty two,

Present the Honorable James McClure Judge of said court.

Joshua P Hadley's Heirs } v.

Comes now Simon P Hadley Guardian and files the following report, towit: (insert) And further proceedings herein are continued.

John Pickett's Estate }

Comes now Aaron Hadley, Administrator of said estate and makes & files the following report towit: (insert) And also pays here into court three dollars and forty four cents in cash which is ordered to be placed to the credit of said Administrator And further proceedings herein are continued

William King's Estate }

Comes now William A. King one of the Administrators of said estate and on his motion further proceedings herein are continued.

James Campbell's Estate

Comes now the Administrator herein and on his motion this estate is continued

Heirs of the estate of Jesse Conner Dec'd }

Comes now Samuel Starbuck Guardian of the heirs aforesaid and makes and files the following report towit (insert) And the said Guardian also files a claim for services by him rendered as such Guardian for the sum of three dollars which is allowed by the court. And further proceedings herein are continued

William S. & Robbins
Christopher Robbins &
Michael Robbins minors }

Comes now Simon P Hadley and gives the Court to understand and be informed that the Said Guardian herein has departed this life

Sally Hancock widow of George Hancock dec'd } Petition for
vs Dower
William Hancock, Polly Hancock, George S. Hancock, Elizabeth Hancock, Nancy Hancock & Samantha Hancock heirs of the decedent }

Comes now Eleazer Henry, William Garrison and Silas Bryant, Commissioners heretofore appointed to set off and assign dower to Sally Hancock widow of George Hancock in certain Lands of which the said George died seized, and make and file the following report, towit: "The State of Indiana, Hendricks County. In Hendricks Probate court, November Term A.D. 1842. We the undersigned commissioners appointed at the August Term of said court last past, to assign and set off dower to Sally Hancock widow of George Hancock, deceased (as shewn by the writ

herewith returned) late of the county of Hendricks deceased, Dower in the following described real estate, towit: The South West quarter of the South East quarter of Section Thirty three in Township fifteen North, in Range two west; and having been duly sworn, upon actual view of the premises, do assign and set over to the said Sally Hancock for dower right in the premises so much of said Land as included in the following bounds, towit: Commencing at the North West corner of said quarter quarter Section & running with the West line thereof to the South west corner thereof; thence East with the Section line two rods & eleven feet; thence North (allowing Section bearing to the ~~North~~ north boundary of said quarter quarter Section; thence West to the beginning. Given under our hands and seals, this 11th day of November AD 1842.

Eleazer Kersey
William Garrison
Silas Briant

Absalom Gardner's Estate

Comes now Simon P. Hadley Administrator de bonis non and files the following report, towit (insert) And further proceedings herein are continued.

William Frees
Estate

Comes now Eldred Huff commissioner heretofore appointed to make sale of certain real estate belonging to this estate and makes and files the following report, towit (insert) And on motion it is ordered that said Huff be continued as such Commissioner and authorized and required to make sale of the said Lands upon the same terms, conditions and

restrictions heretofore ordered; And that he make report of his proceedings herein at the next term of this Court. And this estate is continued.

Enoch Parlow's
Estate

Comes now Eldred Huff Commissioner heretofore appointed to make sale of Certain Real estate belonging to this estate, and makes and files the following report, towit: (insert) And on motion it is ordered that said Huff be continued as such Commissioner and authorized and required to make sale of the said Lands upon the same terms, conditions and restrictions as heretofore ordered; And that he make report of his proceedings herein at the next term of this Court: And this estate is continued

James Ford minor
Augustine Pearson, Guardian

Comes now James Ford, a minor under the age of Twenty one years, and files his petition in these words (insert) and being permitted to choose a Guardian selects and chooses Augustine Pearson as such Guardian: Whereupon the said Augustine Pearson is appointed guardian of the person and estate of the said James Ford And the said Pearson now files his bond in the sum of four hundred dollars with William Pearson his security, which is approved by the court, And the said Augustine Pearson is sworn as such Guardian

John C. Faulkner
Heirs

Comes now Ann B. Sears (formerly Ann B Faulkner) former Guardian of the minors aforesaid and files the following petition, to wit: (insert) And thereupon Wesley B Sears is appointed Guardian of the persons and estates of the minors aforesaid. And the said Wesley B. Sears now files his bond in the sum of two thousand dollars with Edward Strange and Silas Hardwicke his securities which is approved by the Court. And the said Wesley Sears is now Sworn as such Guardian

John Sturman
James Sturman &
Silas Sturman
Minors

Comes now the said John Sturman a minor within the age of twenty one years and over the age of fourteen years and files the following petition to wit (insert) And Robert Montgomery Comes also and files his petition praying the Court to appoint David Higgins Guardian for the persons and estates of the said James Sturman and Silas Sturman in these words to wit: (insert) And thereupon the said John Sturman being permitted Selects and Chooses David Higgins as his guardian Whereupon the said David Higgins is appointed guardian for the protection of the persons and estates of the said John Sturman, James Sturman and Silas Sturman And the said David Higgins now files his bond in the sum of Eight hundred dollars with Thomas Higgins his security which is approved by the Court And the said David Higgins is now Sworn as such Guardian

And Court adjourned until tomorrow morning nine Oclock.

James McClure

Tuesday Morning nine Oclock November the fifteenth Eighteen hundred and forty two.

Court in Session pursuant to adjournment.

Present the same as Yesterday.

Wright McCormack
Heirs

Comes now Harmon Hiatt, Guardian of said heirs, and makes and files the following report to wit And the said Guardian also files a claim for services by him rendered as such guardian which is allowed by the Court And further proceedings herein are continued.

Lucinda Jessup
vs
Harmon Hiatt
} In Chancery

Comes now the Complainant by Sawyer her Solicitor and on her motion this cause is dismissed And the said Complainant asks leave to withdraw the papers herein filed which is granted by her first leaving a copy of the same on file. Ordered that the Complainant pay the costs herein accrued.

Jonathan Jessup's
Heirs

Comes now Harmon Hiatt Guardian of the heirs aforesaid, and makes and files the following report, to-wit (insert) And the said Guardian also files a claim for the sum of Eight dollars Sixty two and a half Cents for Services rendered and money by him expended as such guardian which is allowed by the Court And further proceedings herein are continued.

Nancy Jane Moreland
Infant

Comes now Enoch Davis Guardian as aforesaid, and makes and files the following report, to-wit And further proceedings herein are continued

Wright M'Cormack's
Heirs

Comes now Harmon Hiatt Guardian of the heirs aforesaid And makes and files the following report, to-wit (insert) And the said Guardian also files a claim for Services by him rendered as such guardian for the sum of Eight dollars and twenty five Cents which is allowed by the Court And further proceedings herein are continued.

Samuel Jones Sr,
Estate

Comes now Samuel Jones Jr, Executor of said estate and makes and files the following exhibit of the Settlement of said estate to-wit (insert) Whereby it appears that he has fully settled up and closed the business of said estate. Ordered therefore that

he be discharged as such Executor

Philip R Ellis's
Estate

Comes now James Green Administrator of said estate and makes and files proof that the publication of the insolvency of said estate has been duly made in the Indiana Journal in pursuance of an order of this Court which proof is in these words (insert) And this estate is continued

William Jackson's
Estate

Comes now Jesse M'Mahan Executor of said estate and makes and files proof that notice of the taking out of Letters testamentary on said estate has been given by posting up written notices at different places in Middle Township in the County of Hendricks the former residence of the said decedent.

William Jackson's
Estate

The Clerk of this Court having granted and issued Letters Testamentary unto Jesse M'Mahan on the estate of William Jackson in vacation and the acts and proceedings being examined and inspected by the Court It is ordered that the proceedings of the Clerk herein be in all things confirmed And the said Executor now presents to the Court an Inventory of the property belonging to said estate and also a Sale Bill which are examined by the Court and ordered to be recorded. And the said Executor also makes and files proof that notice of the taking out of Letters Testamentary on said estate has been

duly given by posting up written Notices at different placed in Middle Township in the County of Hendricks the former residence of said decedent. And further proceedings herein are continued.

And Court adjourned until tomorrow morning half past nine Oclock

James McClure

Wednesday Morning half past nine Oclock November the Sixteenth the year of our Lord one thousand eight hundred and forty two

Court in Sesion pursuant to adjournment

Present the same as Yesterday.

Joseph A. Craig's
Estate

Comes now the Administrator of said estate and files the following Inventory towit (insert) And also the receipt of the widow of said decedent Shewing that she has received the whole of the property mentioned and ~~and~~ described in said Inventory at its appraised Value. ~~Which are~~ examined by the Court and ordered to be recorded And further proceedings herein are continued.

Thomas Willson's
Estate

The Clerk of this Court having granted and issued Letters testamentary unto Jeremiah Tinder on the estate of Thomas Willson, deceased, in Vacation, and all things touching the granting of the same being now here examined by the Court It is ordered that the proceedings of the Clerk herein be in all things confirmed. And the said Executor now presents to the Court an Inventory of the goods and Chattles belonging to said estate and also a Sale Bill which are examined by the Court and ordered to be recorded And further proceedings herein are continued.

Joseph Jenkins's
Estate

The Clerk of this Court having in Vacation granted Letters of administration on the estate of Joseph Jenkins, deceased, unto Eldred Huff and all things touching the granting the same being now here by the Court examined It is ordered that the proceedings of said Clerk be in all things confirmed. And the said Administrator now files an Inventory of said estate and also a Sale Bill which are examined by the Court and ordered to be recorded. And further proceedings herein are continued.

Daniel Hartman's
Estate

The Clerk of this Court having in Vacation granted and issued Letters of administration on said estate unto Christian Hartman, and all things touching the granting of the same being now here by the Court examined It is ordered the proceedings of the Clerk be in all things confirmed. And the said Administrator now

presents to the Court an Inventory of said estate Which is examined by the Court and ordered to be recorded And further proceedings herein are continued

John Jenkins's
Estate

Letters of administration having been granted unto Joel Hodgin by the Clerk of this Court in Vacation on said estate and all things touching the granting of the same being now here by the Court examined; It is ordered that the proceedings of the Clerk herein be in all things confirmed And further proceedings herein are continued.

John G. Smith's
Estate

Comes now the Administrator of said estate and presents to the Court an Additional Inventory of said estate And also an additional Sale Bill Which are examined by the Court and ordered to be recorded And further proceedings herein are continued

John Sinchers
Estate

Comes now the Administrator of said estate and makes and files proof that ~~publication~~ notice of the granting of Letters of administration has been duly made by publication in the Indiana Journal a newspaper of general circulation printed and published at Indianapolis in Marion County for three weeks in Succession. And further proceedings herein are continued

Edward S. Ellis
Estate

Ordered that notice be given to the Creditors of this estate of Insolvency by publication in the Indiana State Sentinel according to the order herein before made And this estate is continued.

James F. Hadley
vs
Joshua Picket &
Simon F Hadley Admrs
of the estate of Charles F.
Litzman Decd

A pumpsit

Comes now the said James Plaintiff by Voris his attorney and files his account against said estate, And Simon F. Hadley one of the Administrators of said estate, in his own proper person comes also. And by agreement of the parties this cause is submitted to the Court without the intervention of a Jury. And the proofs and allegations of the parties being heard and understood by and the Court sufficiently advised in the premises do assess the plaintiffs damages by reason of the premises to the sum of Ten hundred and forty two dollars twenty and a half Cents; It is therefore Considered by the Court that the said plaintiff recover of the said defendant Administrators as aforesaid, the said sum of Ten hundred and forty two dollars twenty and a half cents ($1042.20½) for his damages so as aforesaid by the Court assessed, besides also his costs and Charges herein laid out and expended taxed at dollars and cents, to be levied of the goods and chattles of the said deceased now in the hands of said Administrators to be administered And the defendants in mercy &c. Returned Dec 11th 1842 by J. F. Hadley Administrator seven Hundred and seventy nine Dollars & 95 cts on the above Judgment

James F. Hadley

William M. Hamer's
Estate

William H Cash &
John Cash Admrs of the
estate of William M. Hamer dec'd
vs
Jesse Kennedy et al heirs of said estate

Petition to Sell
Real estate

Comes now William H. Cash one of the Administrators of said estate and makes and files his affidavit shewing that Lewis Hamer and Andrew Hamer two of the heirs to said estate have removed to parts unknown to said affiant Whereupon it is ordered that the said Lewis Hamer and Andrew Lewis Hamer be notified by three successive publications in the Indiana Journal, a newspaper of general circulation printed and published at Indianapolis in Marion County, to appear in this Court on the first day of the next term and Shew cause if any they can why the real estate mentioned and described in said memorial shall not be sold and made apts for the discharge of the debts outstanding against said estate And further proceedings herein are continued.

And Court adjourned

James McClure

Vacation

Naomi Richards'
Estate

Be it remembered that on this 16th day of November 1842 Letters testamentary on the estate of Naomi Richards, late of the County of Hendricks and State of Indiana, deceased, are by me the undersigned Clerk of the Probate Court of said County granted and issued unto Joseph Richards and Samuel Richards, they having first produced and filed the last Will and testament of the said Naomi Richards and duly proved the same according to law and the said Joseph and Samuel Richards now file their bond with security and are duly sworn as Executors of said estate

Attest J. M. Gregg clerk

Recorded

Solomon Sowder's
Estate

Be it remembered that on this 24th day of January 1843 Letters of administration on the estate of Solomon Sowder late of the County of Hendricks and State of Indiana deceased are by me the undersigned duly granted and issued unto Joseph Wells he having first produced and filed the renunciation of the widow of said deceased And also his Bond with security and is now by me duly affirmed as Administrator of said estate.

Attest J. M. Gregg, clerk

Jeremiah Prather's
Estate

Be it remembered that on this 24th day of January 1843 Letters of administration on the estate of Jeremiah Prather, late of the County of Hendricks and State of Indiana, deceased, were by me the undersigned Clerk of the Probate Court of said County duly granted and issued unto Alexander Pittle he having first produced and filed the renunciation of the widow of the said deceased and also his bond with security And the

said Alexander Little is now by me duly affirmed as
Administrator of said estate

Attest, S. W. Gregg Clk

At a Term of the Hendricks Probate Court began and held at the Court House in the town of Danville on Monday the thirteenth day of February in the year of our Lord one thousand eight hundred and forty three.

Present the Honourable James McClure Sole Judge of said Court

Heirs of the Estate of
James Williams Dec'd

Comes now Joel Dixon, Guardian of said heirs and makes and files the following report (viz) whereby it appears that the whole amount of money that has come into his hands, (including principal and interest up to the first day of January 1843) is four hundred and twenty nine dollars & eighty eight cents, which said amount is loaned at six per cent interest; And this case is continued

Heirs of the estate of
William Tout Dec'd

Comes now Bazil Tout, Guardian and makes and files the following report (viz) whereby it appears that he has received One hundred and nineteen dollars and nine cents, since his last report, belonging to his said Ward, and that the whole amount now in his hands is Thirteen hundred and ten dollars and two cents, which amount has been at interest at six per cent since the 11th day of May last. And this case is continued

Recorded

~~George Hedricks~~

Solomon Rushton
vs
Matilda Hedrick

Assignment of Dower

~~It is~~ On motion of Henry M. Davies attorney for the said Matilda Hedrick It is ordered that certain papers purporting to be an assignment of dower by the said Solomon Rushton to the said Matilda Hedrick (filed in this court the first day of the August Term 1842) be taken from the files of this court.

William Free's
Estate

Comes now Eldred Huff Commissioner heretofore appointed to make sale of certain Real estate belonging to said estate and makes and files the following report, towit: (insert) whereby it appears that the said Eldred Huff has sold Eighty acres of the aforesaid Land to Isaac Mercer for the sum of Eight hundred dollars; And thereupon the Administrator of said estate comes here into Court and moves the Court to set aside said sale; and the Court being fully advised in the premises do set aside said sale. Whereupon on motion of said Administrator it is ordered that said Huff be continued as such Commissioner and authorized and required to make sale of the said Lands upon the same terms, conditions and restrictions heretofore ordered. And that he make report of his proceedings herein at the next term of this Court And this estate is continued.

Mary Ann & Sarah Jane Payne
Infants

Comes now Edward ~~Strange~~ Guardian and makes and files the following report, towit (insert) whereby it appears that the said Edward Strange has received a note on John Custer for the sum of Five hundred and thirty five dollars and fifty cents in payment of the Lands belonging to said heirs, which said Lands were heretofore sold by the said Edward Strange, in pursuance of an order of this Court heretofore made

Hampton Pennington's
Estate

Comes now the Administrator herein and makes and files the following report (insert) whereby it appears that he has received twenty five dollars belonging to said estate and that he has paid out the the same on interest due the School Commissioner by said estate and taxes. And this estate is continued.

William I. Robbins
Christopher Robbins
& Michael Robbins
Minors

David Mattock is now here by the Court appointed Guardian of the estate of the said Minors And thereupon the said David Mattock files his bond in the sum of Five hundred dollars with Simon I. Hadley his Security, which bond is approved by the court and the said David Mattock is now sworn as such Guardian

Jeremiah Prather's
Estate

The Clerk of this Court having granted Letters ~~of administration~~ on the estate of Jeremiah Prather unto Alexander Little in vacation and all things touching the granting of the same being now hereby the Court examined it is ordered that the proceedings of the Clerk herein be in all things confirmed: And it is ordered that said Administrator give notice of the grant of Letters of Administration by posting up written notices in four of the most public places in the County of Hendricks: And further proceedings herein are continued.

Joel Osborn's
Estate

Comes now the Administrator herein and on his motion the following entry which should have been ~~entered~~ made on Thursday the Fourth Judicial day of the February Term 1840 of this Court but ~~from~~ which was not done, be now entered as of that term, to-wit: On motion to the Court it is ordered that Letters of administration be granted unto Charles Coffin on the estate of Joel Osborn late of the County of Hendricks and State of Indiana, deceased And thereupon the said Charles Coffin files his bond in the sum of Five hundred dollars with P. D. Dicken and R. C. Russell as his Securities which is approved by the Court, and is duly Sworn as such Administrator: And this estate is continued

Josephus Simmons
Minor

Comes now Sandy Scott Guardian and files a claim herein for Services by him rendered as such Guardian for the sum of Five dollars which is allowed by the Court.

Enoch Barlow's
Estate

Comes now the Administrators herein and Eldred Huff Commissioner heretofore appointed to Sell certain Real estate belonging to said estate and makes and files the following report to-wit: "The Honourable James McClure, Judge of the Probate Court of Hendricks County in the State of Indiana. Eldred Huff Commissioner of the estate of Enoch Barlow, deceased, respectfully reports, that in pursuance of an order of this Honourable Court made at the last November term thereof he the said Eldred Huff having given due notice of the time and place of Sale agreeably to the directions of said Order, did on the 28th day of January last expose to Sale by public Vendue the land therein mentioned exclusive of the Widows dower, and Sold the same to Harvey R. Barlow for the Sum of Six hundred and thirty five dollars, he being the highest bidder and that the highest and best price bidden for the same Which Sale he prays may be confirmed. February 13th 1843

Eldred Huff Commissioner

And the Sale so made as aforesaid and all things touching the same being examined and inspected by the Court it is ordered adjudged and decreed that the same be in all things confirmed. The said Commissioner now pays over One hundred dollars in cash and two notes of hand executed by Harvey R Barlow & Milton F. Barlow, one due One day after date for the

sum of Fifty eight dollars and Seventy five cents, payable to Eldred Kuff Commissioner of said estate and dated Febmary 13th 1843, and the other due twelve months after date payable to the said Kuff Commissioner as aforesaid for the sum Four hundred and Seventy six dollars and twenty five cents and dated Febmary 13th 1843, as the avails of said Sale. And it is ordered that so much of the order of Sale made herein as required one fourth of the purchase money to be paid in hand be and the same is hereby rescinded. And it is ordered that the said Eldred Kuff Commissioner as aforesaid be allowed Ten dollars for his services as such Commissioner.

Ezra Cox is
Estate

Comes now Henry Mattock and makes and files proof to the satisfaction of the court that he is an heir at law to said estate And thereupon it is ordered by the court that the Executor of said estate pay over to the said Henry Mattock any money that may be ~~due~~ in his hands due him as said heir And the said Henry Mattock now files his refunding bond to the acceptance of the Court. And William Woodward also an heir to said estate Comes here into Court and files a refunding bond which is approved by the Court. And further proceedings herein are continued

Sally Hancock
vs
Heirs of George Hancock } Petition for Dower

It is ordered by the court that the following part of an entry which should have been made at the first day of the last Term of this Court be now entered as of that term, to wit: Which said report the said Commissioners Kinsey, Garrison and Briant now here in open court acknowledged. And the report of said Commissioners being examined and understood by the Court it is ordered and adjudged that the said Sally Hancock have and hold the premises so assigned and set off by the Commissioners aforesaid as and for her Dower in the Lands, tenements and hereditaments of which the said George Hancock died seized. And it is further ordered and adjudged that the said Sally Hancock recover against the said defendants her Cost and Charges herein laid out and expended taxed at dollars and cents to be levied of the assets in the hands of the Administrator belonging to said estate.

And Court adjourned until tomorrow morning nine Oclock. James McClure

Tuesday Morning nine Oclock February 11th in the year Eighteen hundred and forty three. Court in session pursuant to adjournment. Present the same as yesterday

Enoch Darlow's
Estate

Come now the Administrator herein and file an additional Inventory and Sale bill which is ordered to be recorded. And further proceedings herein are continued

John Sinchen's
Estate

Comes now the Administrator herein and files an Inventory of the personal property belonging to said estate and a Sale Bill and also an Additional Sale bill which are examined by the Court and Ordered to be recorded. And further proceedings herein are continued.

Thomas Wilson's
Estate

Comes now the Executor herein and makes and files proof of notice of the grant of Letters Testamentary on said estate. And further proceedings herein are Continued

Naomi Richard's
Estate

Come now The Clerk of this Court having granted Letters Testamentary on the estate of the said Naomi Richard, late of the County of Hendricks deceased unto Joseph Richard and Samuel Richards in Vacation And all things touching the granting the same being examined and inspected by the Court It is ordered that the proceedings of the Clerk herein be in all things confirmed. And the said Executors now now produce to the Court an Inventory of the goods and Chattels belonging to said estate which is ordered to be recorded. And the said Executors now make and file proof of notice of the grant of Letters Testamentary on said estate And further proceedings herein are continued.

Solomon Sowder's
Estate

The Clerk of this Court having granted and issued Letters of administration in Vacation unto Joseph Wells on the estate of the said Solomon Sowder late of the County of Hendricks deceased And all things touching the issuing and granting of the same being examined and inspected by the Court It is ordered that the proceedings of the Clerk herein be and the same is hereby confirmed. And further proceedings herein are continued

Recorded

John Jenkins
Estate

Comes now the Administrator herein and produces and shows to the Court an Inventory herein filed which is ordered to be recorded And further proceedings herein are continued

William Pennington's
Estate

Ordered that Barshaba Pennington Administratrix of said estate be cited to appear in this Court on the first day of the next term and shew cause why said estate has not been settled.

William M. Hamer's
Estate

Come now said administrator and file proof that Notice has been given to Andrew Hamer and Lewis Hamer of the pendancy of a petition to sell certain real estate of decedent, by publication in the Indiana Journal pursuant to the order of this Court, which said proof & Notice is as follows to-wit (insert) Whereupon the said Andrew Hamer & Lewis Hamer are three but make default. And Comes now here into Court Isse Kennedy & Sarah his wife by Henry M. Norris their Attorney and say nothing, nor do they shew or attempt to any cause why the premises aforesaid shall not be sold agreeable to, and for the purposes expressed in said petition; Wherefore it is ordered adjudged and decreed that the same as to the said Andrew & Lewis & And the said Isse Kennedy and Sarah his wife be taken as confessed & held to be true. And that the premises aforesaid towit the East half of Lot No four in Block No thirteen in the town of Danville be sold on a credit of twelve months at public Sale, giving the same notice of the time and place of Sale as is required upon execution. And for the purpose of effecting said Sale Simon P. Hadley is appointed a Commissioner to Sell the same, taking from the purchaser good security for the payment and report this proceedings to the next term of this Court. And further proceedings herein are continued

Margaret Jane Hamm
Infant

Comes now here into Court Samuel C. Carrington and files his petition shewing that Jeremy G. Anderson Guardian heretofore appointed by this Court of the estate of the said infant has removed without the limits of this State and praying for the appointment of a Guardian Wherefore it is ordered that the Letters of Guardianship heretofore granted unto the said Jeremy G. Anderson be and the same are hereby revoked And thereupon the Court appoints the said Samuel C. Carrington Guardian of the estate of the said Margaret Jane Hamm And the said Samuel C. Carrington Comes now here into Court and accepts said appointment and files his bond in the sum of Five hundred dollars with Milton Carrington as his Security Which said Bond is approved by the Court and the said Samuel C. Carrington is now duly sworn as such guardian And further proceedings herein are continued.

And Court Adjourned

Isham McClure

Vacation

Robert Stokes Sen.
Estate

Be it remembered that on this 21st day of February 1843 Letters of Administration were by me the undersigned Clerk of the Probate Court of Hendricks County and State of Indiana, granted unto Commodore P. Stokes on the estate of Robert Stokes Sen. late of said County deceased, he having first produced and filed the renunciation of the widow of said deceased and also his bond with Security and the said Commodore P. Stokes is duly Sworn as Administrator of said estate.

Attest J. M. Gregg clerk
By T. L. Crawford D.C.

Elizabeth Thornbrough's
Estate

Be it remembered that on this 25th day of February 1843 the last Will and testament of Elizabeth Thornbrough, late of the County of Hendricks and State of Indiana, deceased, was presented to me the undersigned Clerk of the Probate Court of said County by Preston Brown, the Executor in and by said will appointed, and duly proved by the oath of Jeremiah Johnson one of the Subscribing Witnesses thereto; And thereupon Letters Testamentary are by me ispued unto the said Preston Brown he having first filed his bond with Security. And the said Preston Brown is now duly sworn as such Executor

Attest J. M. Gregg clerk
By T. L. Crawford D.C.

Thomas Jenkins'
Estate

Be it remembered that on this 18th day of March 1843 Letters of administration on the estate of Thomas Jenkins late of the County of Hendricks and State of Indiana, deceased, were by me the undersigned Clerk of the Probate Court of said County, granted and ispued to Joel Hodgin, he having first produced and filed the renunciation of the widow of said deceased; And ~~the said Joel Hodgin now files~~ also his Bond with Security. And the said Joel Hodgin is now duly affirmed as Administrator of said estate.

Attest J. M. Gregg, Clerk
By T. L. Crawford D.C.

Simon Hadley's
Estate

Be it remembered that, on this 26th day of April, 1843, the last Will and testament of Simon Hadley, late of the County of Hendricks and State of Indiana, deceased, was presented to me, the undersigned Clerk of the Probate Court of said County, by James T. Hadley, One of the Executors in and by said Will appointed, and duly duly proved by the affirmation of James Tolbert one of the subscribing Witnesses thereto And thereupon Letters testamentary are by me granted and ispued unto the said James T. Hadley, he having first filed his bond with Security And the said James T. Hadley is now by me duly affirmed as Executor of said estate

Attest. J. M. Gregg, Clerk

May Term A.D. 1843

At a term of the Hendricks Probate court began and held at the Court House in the town of Danville on Monday the eighth day of May in the year of our Lord one thousand eight hundred and forty three

Present the Honorable James McClure Sole Judge of said Court

Maria Darnall
Infant

Comes now Jonathan D. Parker Guardian of the said Maria Darnall and makes and files the following report, to-wit (insert) whereby it appears that the amount of money now in his hands belonging to his said ward is Eight hundred and forty two dollars and ninety cents, which said sum is loaned at Six per cent interest. And this estate is continued.

Enoch Barlow's
Estate

Come now the Administrator by Vories their attorney and on his motion this estate is continued

William Cox's
Estate

Comes now Harmon Cox one of the ~~Administrators~~ Executors of said estate and pays ~~him~~ into Court One hundred and ten dollars, money belonging to the heirs of said estate And this estate is continued

John C. Fawkner's
Estate

Comes now the Administrator herein and on his motion and for cause thereon in writing this estate is continued.

William Planton's
Estate

Comes now Edward Strange Executor herein and on his motion this estate is continued.

Edward Ellis's
Estate

Ordered that notice be given to the Creditors of said estate of Insolvency by publication in the Indiana State Sentinel according to the order herein before made And this estate is continued

James Walls's
Estate

Come now the Executors herein and on their motion and for cause thereon in writing this estate is continued

John Jenkins's
Estate

Comes now the Administrator and files a Sale bill of the personal property belonging to said estate which is ordered to be recorded And this estate is continued.

Solomon Sowders
Estate

Recorded

Comes now the Administrator herein and files an Inventory, and additional inventory and a Sale bill of the personal property belonging to said estate which are ordered to be recorded. And this estate is continued.

Jeremiah Prathers
Estate

Comes now the Administrator herein and files an Inventory of the personal property belonging to said estate and also a Sale Bill which are ordered to be recorded. And this estate is Continued.

Robert Stokes Sen.,
Estate

The Clerk of this Court having granted and issued Letters of Administration on the estate of Robert Stokes Sen. late of the County of Hendricks deceased, unto Commodore P. Stokes in Vacation and all things touching the same being examined and inspected it is ordered that the proceedings of the Clerk be in all things Confirmed And the said Administrator now files and Inventory of the personal estate of the said deceased also a Sale bill And also a receipt from the widow of said deceased which are ordered to be recorded And the said Administrator now makes and files proof to the Satisfaction of the Court that notice of the grant of Letters of administration on this estate has been given according to law. And this estate is Continued

Elizabeth Thornbroughs
Estate

The Clerk of this Court having granted and issued Letters Testamentary on the estate of the said Elizabeth Thornbrough in Vacation unto Preston Brown and all things touching the same being examined and inspected it is ordered that the proceedings of the Clerk herein be in all things confirmed. And this estate is Continued

Thomas Jenkins
Estate

The Clerk of this Court having granted and issued Letters of administration on the estate of the said Thomas Jenkins in Vacation unto Todd Hodgin, and all things touching the granting and issuing the same being examined and inspected it is ordered by the Court that the proceedings of the Clerk herein be in all things Confirmed. And this estate is Continued

Simon Hadley
Estate

The Clerk of this Court having granted and issued Letters testamentary on the estate of the said Simon Hadley in Vacation unto James V. Hadley and all things touching the same being examined and inspected it is ordered that the proceedings of the Clerk herein be in all things confirmed. And this estate is Continued

James Green Admr. of
the estate of Benjamin C. Bell, Decd

vs.

William Vestal Admr. of
the estate of David Vestal Decd

Assumpsit

Comes now the plaintiff by Vories his attorney and files his account against the said defendant in these words (insert) And thereupon the said defendant comes here into open court and waives the issuing and service of proces. And by agreement of the parties this cause is submitted to the court, without the intervention of a Jury, for trial And the proof being heard and the court sufficiently advised in the premises do asess the plaintiffs damages at four dollars. It is therefore considered by the Court that the plaintiff recover against the said defendant the said sum of four dollars his damages so as aforesaid by the court asessed And also his costs and charges herein laid out and expended taxed at dollar and cents, to be levied of the debt, goods and chattels of the said David Vestal, decd. now in the hands of the said defendant as Administrator to be administered &.

The State of Indiana on the
relation of Henry M. Vories
Admr. de bonis non of the estate
of George Hedrick, decd

vs.

Thomas C. Gray & William Shannon

Debt

Come now the parties by their attorneys and file the following Judgement of the Hendricks Circuit Court, which

is ordered to be recorded, to wit: The State of Indiana, Hendricks Circuit Court, April Term A.D. 1843.

Monday April 17th A.D. 1843. Present the Honorable William S. Peaslee, President Judge of the fifth Judicial Circuit of the State of Indiana & and James Maccoun and William Naylor Esquires Associate Judges within and for the County of Hendricks.

The State of Indiana on the for the
relation of Henry M. Vories Admr.
de bonis non of the estate of
George Hedrick decd

vs.

Thomas C. Gray & William Shannon

Debt

Come now the parties by their attorney and the court being sufficiently advised in the premises it is considered that the Judgement and proceedings of the Probate Court subsequent to the awarding of the writ of inquiry be reversed and set aside at the costs of the defendants with directions to the said Probate Court to execute the said writ of inquiry, all which is ordered to be certified. It is therefore considered by the court that the plaintiff recover against the said defendants her costs by her expended in and about the prosecution of her said writ of Error, taxed at dollars and cents.

The State of Indiana } I James M. Gregg,
Hendricks County } Clerk of the said Hendricks Circuit Court, do certify that the foregoing is a full and true copy of the Judgement and proceedings of said court in the foregoing entitled cause.

Seal

In testimony whereof I have hereto subscribed my name and affixed the seal of said court

at Danville this 6th day of May A.D. 1843.
J. W. Gregg, Clk

And it is ordered that a Venire issue directed to the Sheriff of Hendricks County commanding him to Summon twelve good and discreet householders of said County to serve as jurors at the next term of this Court for the purpose of apeping the damages of the plaintiff herein. And this cause is Con=tinued.

William Frees
Estate

Comes now Eldred Ruff a Commis=sioner heretofore appointed by this court to sell certain real estate belonging to said estate and makes and files the following report, to wit: "State of Indiana Hendricks County. In Hendricks Probate Court, May Term A.D. 1843. To the Honorable James McClure appointed Judge of said Court. The undersigned Commissioner, heretofore by an order of this court, and continued at the late February term thereof A.D. 1843, to make sale of the real estate of William Free, deceased, in the county and State aforesaid, respectfully reports that that in pursuance of said order he did, after having given due notice of the time and place of sale, agreably to the directions of the order aforesaid, on the fourth day of March last expose to sale, by public Vendue, the said real estate and sold a part of the same to wit: The N.W¼ of the N.E¼ and the N.E¼ of the N.W¼ of Section 22, Township 16 Range 1ed. to John M. Daniel for the sum of Eight hundred and fifteen dollars he being the highest and best bidder And the other part to wit: The S.W¼ of the N.W¼ of Section 23 Town=ship and Range aforesaid to Abram Hoadley for the sum of One hundred and one dollars he being

the highest bidder and that being the highest and best price bidden offered for the same.
Given under my hand and seal this 8th day of May A.D. 1843. Eldred Ruff
Commissioner."

And the Sale to the said John M. Daniel is made as aforesaid, and all things touching the same being examined and inspected by the Court it is ordered, adjudged and decreed that the same be in all things confirmed and it is further ordered that said Commissioner deliver to the Admin=istrator of said estate the notes by him taken for the payment of the purchase money of the real estate afore=said. And it is also further ordered that said Com=missioner be allowed the sum of three dollars for his services in the premises. And this estate is ~~continued~~ discontinued because it appears to the satisfaction of the Court that the sale made by said Commissioner to Abraham Hoadley was done without the order or direction of this Court the same is therefore set aside and held for naught. And it is ordered that said Commissioner return the notes taken of said Hoadley. And this estate is continued

Heirs of the estate of
David McDaniel

Comes now Simon T. Hadley Guardian of the aforesaid heirs and makes and files the following report, to wit: (insert) whereby it appears that there is now in the hands of the said Guardian belonging to his said wards the sum of One hundred and ninety dollars and sixty two and a half cents all of which is loaned out at six per cent interest. And further proceedings herein are ~~continued~~. And the said Guardian files an account for the sum of seven dollars for services by him rendered as such Guardian which is allowed by the court And further proceedings herein are continued

William M. Hamer's Estate

Comes now Simon T. Hadley a Commissioner appointed by this Court at the last to make Sale of certain real estate belonging to the estate of the said deceased and makes and files the following report, towit: The State of Indiana, Hendricks County. In Hendricks Probate Court May term A.D. 1843. To the Honourable James McClure Judge of said court. The undersigned Commissioner appointed by an order and decree of this Court at the late February term thereof A.D. 1843 to make Sale of the East half of Lot numbered four in Block numbered thirteen in the town of Danville, in said County, it being real estate belonging to the estate of William M. Hamer, deceased, respectfully report that in pursuance of said Order he did, after having given due notice of the time and place of Sale agreeably to the directions of the order aforesaid, on the Sixth day of this instant (May) expose exposure to Sale by public Vendue the said half of said Lot and sold the same to Jesse Kennedy for the sum of two hundred & seventy four dollars ($274.00 cts) he being the highest bidder and that being the highest and best price bidden for the same, and executed to him a certificate of purchase and took of him a note for the payment of the purchase money with Isaac Burnett as his Security, which said note I have here in court

S. T. Hadley, Commissioner."

And the Sale so made as aforesaid and all things touching the same being examined and inspected by the Court it is ordered, adjudged and decreed that the same be in all things confirmed; And it is further ordered that the proceeds of said Sale (the note, now here in court) be delivered over to

and made assets in the hands of the administrator of said estate for the purpose of discharging the debts outstanding against said estate and being otherwise administered according to law; And the said Commissioner, Simon T. Hadley is allowed the sum of three dollars for his services in the premises And this estate is continued

Mary Ann & Sarah Jane Payne Infants

Comes now Edward Stranger Guardian herein and makes and files the following report, towit: (insert) whereby it appears that the whole amount now in his hands belonging to his said wards is five hundred and forty eight dollars and fifty six and one fourth cents, ($548.50) which said amount has been on interest at six per cent since the 25th day of December 1841. And further proceedings herein are continued

Isaac Richardson's Estate

Green Richardson & John I. Smith Admrs of the estate of Isaac Richardson
vs.
Rebecca Richardson, James Hastings, Sophia Hastings, Green Richardson, Joel Richardson, John I. Smith, Elizabeth Smith, John Richardson, Samuel Richardson, Wilford I. Hughes & Clarence M. Cate School Commissioner of Hendricks County Ia.

Petition to Sell real estate

Come now the administrators and file their memorial in the

words and figures following, to-wit: (insert) also the following inventory and appraisement of certain real estate described in said memorial (insert) And the Administrators now suggest to the court the insufficiency of the personal property to pay and satisfy the debts and demands outstanding against the same And it appearing to the satisfaction of the court that the said Green Richardson, John J. Smith, Elizabeth Smith, Wilford D Ungles and Clarence M Cake, School Commissioner as aforesaid are residents of the State of Indiana, And that Rebecca Richardson, James Casting, Sophia Casting, Joel Richardson, John Richardson and Samyl Richardson are not resident of the State of Indiana. It is therefore ordered that the said resident defendants be notified by Summons and the Non resident defendants be notified by three successive publications in the Inldi and State Journal a weekly newspaper of general circulation printed and published at Indianapolis in Marion County, to appear in this Court on the first day of the next term and there cause, if any they can, why the real estate mentioned and described in the said memorial shall not be sold and made assets for the discharge of the debts and demands outstanding against said estate: And further proceedings herein are continued

George Hedrick's
Estate

On motion to the court it is ordered that Simon J Hadley be appointed a commissioner to make, execute, acknowledge and deliver to Solomon Rushton and his

heirs a deed of conveyance to the East half of the South West quarter of Section thirty, in Township fifteen north of Range two west, with its appurtenances (Subject to the widows right of dower) it being a part of estate belonging to the estate of the said George Hedrick deceased Conveying to the said Solomon Rushton all the right, title interest and claim of whatsoever nature absolute (except the widows right of dower as aforesaid) as fully and completely as the said George Hedrick had and held the same at the time of and immediately prior to his death. Which said real estate was by an order of this court heretofore made sold to the said Solomon Rushton and which said Sale was confirmed by this court at the May term thereof 1842. And time is given said Commissioner until the next term to make said deed of Conveyance until when this estate is Continued

James Green Admr. de bonis non of the estate of Benjamin C. Bell, decd. vs. William Vestal Admr. of the estate of David Vestal decd. } On account filed

Comes now the said James Green, Administrator as aforesaid by Voris his attorney And files the following account against the estate of the said David Vestal (insert) And thereupon the said James Green, Administrator as aforesaid calls upon the said William Vestal to testify under oath as to the correctness of the aforesaid account And the testimony being heard by the court do allow the said James Green Administrator as aforesaid four dollars of the aforesaid account in full discharge of the same Received the above four dollars of William Vestall

Nov. 12th 1845. L. D. Parker Clerk

And Court adjourned until Nine Oclock tomorrow Morning

James McClure

Tuesday Morning Nine Oclock May the ninth in the year 1843.

Court in Session pursuant to adjournment.

Present the same as yesterday

Mary Ann and
Sarah Jane Payne
Infant

Comes now Edward Strange Guardian herein and makes and files the following report, towit: insert) and also the following deed of Conveyance towit" This indenture made this ninth day of May in the year of our Lord one thousand eight hundred and forty three between Edward Strange of the county of Hendricks and State of Indiana, Guardian of the estates & persons of Mary Ann & Sarah Jane Payne infant daughters of Simeon K. Payne late of the aforesaid County, deceased, of the one part, and John Bohannon, of the County and State aforesaid, of the other part, Witnesseth, That whereas at a Probate Court at Danville, in and for the aforesaid County of Hendricks on the fourteenth day of May, in the year of our Lord

Eighteen hundred and thirty nine on the application of the said Edward Strange representing that the personal estate of the said Mary Ann and Sarah Jane which had come to the hands of the said Edward Strange, Guardian of the said Mary Ann and Sarah Jane as aforesaid, was insufficient for their sustenance and education, and that a certain lot of land in said County, designated as the North half of the North East fractional quarter of Section No 4 in Township No 14 North, of Range one West, with a small improvement thereon in bad repair, was all the real estate of said heirs, and the said improvement was sustaining unavoidable waste and decay, and praying for an order of appraisement and sale of said premises; And thereupon the Court ordered and directed that Lewis Martin, Amos L. Mills and Milton Nichols should proceed to appraise said land with the appurtenances and report to the said Court at the next term thereof, at which time, towit; at a Probate Court held at Danville aforesaid, on the twelfth day of August, in the year last aforesaid, the said appraisers, after having been duly Sworn according to law, reported that they had appraised the said lot of land with the improvements and appurtenances to nine dollars per acre; Whereupon the court, after having taken bond of the said Edward as required by the act of the General Assembly of the State of Indiana, ordered and directed that the said Edward Strange Sell at private sale, on a credit of one, two and three years, the payments to be equal, the said tract of land towit: The North half of the North East fractional quarter of Section four, Township fourteen North, of Range one West. And whereas afterwards the said Edward Strange, Guardian as aforesaid, on the Eleventh day of May eighteen hundred and forty, at a term of the Probate Court then in Session at the Court House in Danville, reported that he had sold the said land to John Bo-

-hannon for the sum of five hundred and thirty five dollars and fifty cents, which report of the said Guar-dian, of the sale of said land was by said Court examined and considered; And thereupon and Consid-ered it was ordered, adjudged and decreed that the sale of the aforesaid land so made by the said Guardian to the said John Pohannon be in all things con-firmed, and that upon the full payment of the pur-chase money that the said Edward Strange make execute and deliver to the said John Pohannon a good and sufficient deed of Conveyance for the prem-ises aforesaid. Now therefore to confirm to the said John Pohannon, the purchaser aforesaid, the said Edward Strange, Guardian as aforesaid, in and by the authority of the order of the Probate Court aforesaid, and in Consideration of the Sum of five hundred and thirty five dollars and fifty Cents, the purchase money as aforesaid, to him paid, the receipt ~~whereof~~ of which the said Edward Strange doth hereby acknowledge, hath granted, bargained, sold, conveyed and confirmed, and doth by these presents grant, bargain, sell, convey and confirm unto the said John Pohannon, his heirs and assigns forever the following described premises, to-wit: The North half of the North East fractional quarter of Section four in Township fourteen North, of Range one West in the County of Hendricks afore-said, with all the rights, privileges and appurte-nances thereunto belonging, and the reversions, remainders and profits thereof, and all the estate, right, title, interest and Claim of the said Mary Ann and Sarah Jane Payne in and to the Same. To have and to hold the said premises, with the appurtenances to the Sole and only proper use benefit and behoof of the said John Pohannon his heirs and assigns forever. In witness whereof

the said Edward Strange, Guardian as aforesaid, hath hereunto set his hand and Seal, the day and year first above written.

Signed, Sealed and delivered
in presence of. S. S. Hadley
Wm A. Miller

Edward Strange Seal
Guardian

State of Indiana, Hendricks County, } Be it remembered that on this ninth day of May A.D. 1845, it being the Second Juridical day of the May Term of the Probate Court of said County, Edward Strange, Guardian of Mary Ann and Sarah Jane Payne, personally ap-peared in open Court and acknowledged the execution of the foregoing deed to be his act and deed for the pur-poses therein mentioned.

In testimony whereof, I do hereunto set my hand, and Cause to be affixed the Seal of Said Court at Danville the day and date above written

Seal

Jam's McClure Seal
Probate Judge of Hendricks County

Joel Osborn's
Estate

Comes now the Administrator herein and files an additional Inventory of the property belonging to said estate (insert) and the said Administrator also files a claim against said estate for the sum of Seventeen dollars and fifty cents for his services as such Administrator which is allowed by the court, And the said Administrator now moves the court to Spread upon the order book of this Court a deed of Conveyance ~~made by~~ heretofore made and reported to this Court by Simon S. Hadley Commissioner appointed by this Court to make, execute and deliver said deed of Conveyance to one William Williams for certain real estate named and described in said deed it being real estate belonging to the estate of the said Joel Osborn which said real estate was sold by an order of this Court made previous to the execution of said deed, which is ordered to be done accordingly And which said deed is in the words and figures following, to-wit

"This Indenture made the thirtieth day of November, in the year of our Lord one thousand eight hundred and forty one, between Simon S. Hadley Commissioner appointed by an order of the Probate Court of the County of Hendricks in the State of Indiana, of the first part, and William Williams, a pignee of Wesley S. Sears, of the second part, Witnesseth, That whereas Joel Osborn late of the County of Hendricks deceased, was, in his lifetime and at the time of his death, lawfully seized in his own right of a certain tract of land situate in the county aforesaid and known and designated in the United States Survey by being the East half of the South East quarter of Section

Eleven in Township Sixteen North of range one West: And whereas at a Probate Court held at Danville in the said County of Hendricks in August A.D. 1840, on the fourteenth day of said month, Charles Coffin, administrator of the estate of said deceased, filed his memorial in said Court setting forth and showing that the personal estate of said intestate was insufficient for the payment of his debts and praying the Court to grant an Order for the sale of the aforesaid real estate, or so much thereof as would be sufficient to discharge said debts and other demands and such other expenses as may hereafter accrue, and exhibited at the same time an inventory of the said estate and of debts due and owing by the decedent at the time of his death, whereupon the Court ordered that the heirs of said deceased be summoned to be and appear in said Court on the first day of the next term thereof and Show Cause if any they had why the said real estate should not be sold and made assets in the hands of said administrator for the payment of the debts aforesaid, at which time, to-wit: at the November term of said Court, in the year last aforesaid, the said Court being satisfied that the heirs of said decedent had been duly notified of the filing and pendency of said memorial and no cause being shown why the premises mentioned and described in said memorial should not be sold for the purposes therein mentioned, nor but what the matters and things therein stated were true as alledged: It was therefore ordered and decreed that the aforesaid premises be sold on a credit of twelve months, and that Thomas Nichols be appointed a Commissioner to sell the premises aforesaid, and that previous to his offering the same for sale that he give the same notice of the time and place of sale that is required by law for the sale of

Land upon Execution: And whereas the said Thomas Nichols in pursuance of the aforesaid order after having given due notice of the time and place of Sale agreeably to the directions contained in said order, and in conformity with the Statute in such Case made and provided, did on the twenty fifth day of December in the year Eighteen hundred and forty expose the said premises to Sale by public Vendue at the town of Danville, and sold the same to Wesley B. Sears for the sum of two hundred and twenty one dollars, he being the highest bidder and that being the highest and best price bidden for the same; which Sale afterwards, towit: at a Probate Court held at Danville in and for said County, on the ninth day of February in the year eighteen hundred and forty one, was in all things confirmed. And afterwards, towit: at a term of the Probate Court held at Danville, in said County, in the month of November in the year last aforesaid, it being Suggested to the Court by Charles Coffin, the Administrator aforesaid, that he had received the amount of the purchase money aforesaid of and from one William Williams, to whom the said Wesley B. Sears had assigned all his right, title, interest and claim in and to the foregoing described premises, and directed that a deed be executed therefor to him; Whereupon it was ordered and decreed that Simon T. Hadley be appointed a Commissioner to convey the premises aforesaid to the said William Williams, assignee of the said Wesley B. Sears according to the foregoing assignment and direction of him the said Sears. Now to confirm to the said William Williams, assignee of the said Wesley B. Sears, the Sale so made as aforesaid, and in pursuance of the orders aforesaid, the said Simon T. Hadley, the Commissioner last aforesaid, for

and in consideration of the aforesaid Sum of two hundred and twenty one dollars paid by the said William Williams to the said Charles Coffin, Administrator as aforesaid, by him Suggested to the Court as aforesaid, the receipt whereof is hereby acknowledged, hath granted, bargained, Sold, Conveyed and confirmed, and doth by these presents grant, bargain, Sell, convey and confirm to the said William Williams, his heirs and assigns forever, all of the aforesaid tract of land towit: The East half of the South East quarter of Section eleven in Township Sixteen North of Range one West, together with all the rights privileges and appurtenances thereunto belonging, and all the estate, right, title and claim of the said Joel Osborn in his lifetime in and to the same. To have and to hold the premises aforesaid with the appurtenances to the said William Williams, his heirs and assigns, to his and their Sole and only proper use, benefit and behoof forever in as full and ample a manner, and subject to all the conditions, limitations and covenants, as the said premises were had and held by the said Joel Osborn in his lifetime and at the time of his death. In witness whereof the said Simon T. Hadley, Commissioner as aforesaid and by authority of the order aforesaid, hath hereunto set his hand and Seal the day and year first above written. S. T. Hadley Seal
Signed & Sealed in the presence of Commissioner
N. S. Hadley, Clerk to Hill

The State of Indiana, Hendricks County, Hendricks Probate Court, Nov Term 1841. Be it remembered that on this the thirteenth day of November A D 1841, personally appeared in open Court Simon T. Hadley and acknowledged the foregoing deed of Conveyance to be his act and deed as such Commissioner for the uses and purposes therein mentioned. In testimony whereof I do hereunto set my hand and affix the Seal of said Court at Danville, the day and date aforesaid D. M. Gregg clerk

And the said Administrator now files an Exhibit of the affairs of said estate for final Settlement whereby he charges himself with the

Sum of four hundred and Seventy three dollars and thirty and three fourth cents as being the whole amount of assets that have come to his hands to be administered And he also files Vouchers against said estate numbered from 1 to 45 both inclusive amounting together to the Sum of Four hundred and Seventy six dollars and four cents which Covers the whole amount with which said Administrator Stands charged and fully closes and settles said estate Wherefore it is ordered that said Administrator be discharged

Thomas Jenkins's
Estate

Comes now the Administrator herein and files an Inventory of the personal property belonging to said estate And also a Sale Bill which are ordered to be recorded And further proceedings herein are continued

And Court adjourned

Signed May 9th A D 1843

Isaac McClure

Recorded

Vacation

Be it remembered that on this 22nd day of May 1843 Letters Testamentary on the estate of Charles Sacrey late of Hendricks County, Indiana, are granted and issued unto Stephen Stephenson, the Executor named in the last will and testament of said Charles Sacrey, by me the undersigned Clerk of the Probate court of said County Which said last will and testament was heretofore on the 22nd day of April 1843 duly proved by the oaths of George Randall and William Faught two of the Subscribing witnesses thereto. And the said Stephen Stephenson now files his bond with Lemmon Christie as his Security and is duly Sworn as such Executor

J. M. Gregg Clerk

Recorded

John Frakes's
Estate

Be it remembered that on this 5th day of June 1843 Letters testamentary on the estate of John Frakes late of the county of Hendricks and State of Indiana deceased are granted and issued unto Joseph Wells, the Executor appointed by the last Will and testament of said deceased, by me the undersigned Clerk of the Probate Court of said County: Which said last will and testament was this day duly proved by the oaths of James M. Parker and William Ward, the Subscribing witnesses thereto, and filed in my office and the said Joseph Wells now files his bond with Samuel Hill as his Security and is duly qualified (affirmed) as such Executor

Attest J. M. Gregg, Clk

Vacation

Cornelius Summers' Estate

Be it remembered that on this 30th day of June 1843 Letters of administration on the estate of Cornelius Summers, late of the County of Hendricks and State of Indiana, deceased, are granted and ipsued by the undersigned, Clerk of the Probate Court of said County, unto Stephen Arnold he having first filed the renunciation of the widow of said deceased And also his bond with Security And the said Stephen Arnold is now by me duly Sworn as such administrator

Attest, D. M. Gregg clk

John Moberly's Estate

Be it remembered that on this 17th day of July 1843 Letters Testamentary on the estate of John Moberly late of the County of Hendricks and State of Indiana, deceased, are granted and ipsued unto Elizabeth Moberly and Benjamin F. Moberly the Executors named in the last will and testament of said deceased by the undersigned Clerk of the Probate Court of said County, they having first duly proved the said last Will and testament of said deceased by the oaths of Simon T. Hadley & William A. Baugh the subscribing witnepses thereto and filed the same in my office And also their bond with Security And they are now duly Sworn as Executrix and Executor of said estate

Attest, D. M. Gregg clk

John P. Vaughan's Estate

Be it remembered that on this 1st day of August 1843 Letters of Administration on the estate of John P. Vaughan late of the County of Hendricks and State of Indiana, are granted and ipsued unto Mary Vaughan & Henry C. Green by the undersigned Clerk of the Probate Court of said County they having first filed their bond with Security And they are duly Sworn to administer on said estate.

Attest D. M. Gregg clk

John M. Smith's Estate

Be it remembered that on the 30th day of September 1843 the last Will and testament of John M. Smith late of the County of Hendricks was produced to me the undersigned Clerk of the probate Court of said County and duly proved by the oaths of John Bush and Simon Christie the subscribing witnepses thereto And also that afterwards, towit: on the 3rd day of October 1843 Letters of Administration with the Will annexed were granted and ipsued unto John Bush he having first filed the renunciation of the widow of said deceased and also his bond with Security And the said John Bush is duly Sworn as administrator of said estate

Attest, D. M. Gregg, clk

Vacation

John Miles (Decd.) Estate

Be it remembered that on this 3rd day of October 1843 the last Will and testament of John Miles Senr. is produced to me the undersigned Clerk of the Probate Court of the County of Hendricks by William M. Rogers and David Downs the Executors therein named and duly proved by the oaths of Elias Rogers and Richard Christy the Subscribing witnesses thereto, and the said William M. Rogers and David Downs now file their bond in the Sum of five hundred dollars with Richard Christy as their Security And thereupon Letters Testamentary are granted and issued unto the said William M. Rogers and David Downs on said estate and they are duly sworn as Executors of said estate

Attest J. M. Gregg clk

Thomas P. Caywood's Estate

Be it remembered that on this 18th day of October 1843 Letters of administration on the estate of Thomas P. Caywood, late of the County of Hendricks and State of Indiana, are granted and issued unto Simon S. Hadley by me the undersigned Clerk of the Probate Court of said County, he having previous to said grant filed in my office the renunciation of the widow of said deceased and also his bond with Security And the said Hadley is also duly sworn to administer on the estate of said deceased

Attest, J. M. Gregg, clk

Be it remembered that on this 3rd day of November 1843 a Venire was issued by the undersigned Clerk directed to the Sheriff of Hendricks County, Commanding him to Summons twelve reputable freeholders or house holders of the said County of Hendricks to appear at the November Term 1843 of the Hendricks Probate Court to try divers issues now pending and undetermined in said Court

J. M. Gregg, Clerk
By T. C. Crawford D.C.

Be it remembered that on this thirteenth day of November in the year of our Lord one thousand eight hundred and forty three a Term of the Hendricks Probate Court is begun and held at the Court House in the town of Danville.

Present the Honorable Abraham Bland, who now produces the following Commission, to-wit: "Samuel Bigger, Governor of the State of Indiana, To all who shall see these presents, Greeting. Whereas it has been certified to me by the proper authority that Abram Bland is elected to the office of Probate Judge for the County of Hendricks. Therefore Know ye, That in the name and by the authority of the State of Indiana, I do hereby Commission him the said Abram Bland Probate Judge for the County of Hendricks for the term of Seven years from the date hereof. In witness whereof I have hereunto set my hand and caused to be affixed the Seal of the State, at Indianapolis, the Sixteenth day of August in the year of our Lord one thousand eight hundred and forty three, the twenty eighth year of the State, and of the United States the Sixty eighth.

(Seal) By the Governor Sam Bigger

Wm Sheets Secretary of State."

Upon the back of which Commission is the following endorsement, to-wit: "State of Indiana, Hendricks County ss. Personally appeared before me James M. Gregg Clerk of the Circuit Court of said County on this 28th day of September 1843 the within named Abram Bland and was by me duly sworn to support the Constitution of the United States, and the Constitution of the State of Indiana, and to the best of his ability and judgment to faithfully discharge the duties of his office as Probate Judge as

within Commissioned.

In testimony whereof I have hereunto set my hand and Seal of office at Danville this 28th day of September 1843.

(Seal) J. M. Gregg, Clerk

Recorded

Judith Barnett's Estate

On motion to the Court Jacob Bargo is appointed Administrator of the estate of Judith Barnett late of the County of Hendricks deceased, And thereupon the said Jacob Bargo files his Bond with Daniel Bargo as his security in the sum of eight hundred dollars, which is approved by the Court And the said Jacob is duly Sworn as such Administrator. And this estate is continued

Edward Ellis's Estate

Comes now the Administrator and makes and files proof of notice of the insolvency of this estate in pursuance of and order of this Court heretofore made (insert) And this Estate is Continued.

Noah Kellum's Estate.

Comes now Samuel Starbuck and files the renunciation of the widow of Noah Kellum late of the County of Hendricks deceased (insert) And on motion to the Court the said Samuel

Starbuck is appointed Administrator of the estate of the Noah Kellum And the said Samuel now files his bond in the sum of three thousand dollars with Lesp Kellum and Shildes Moore as his Securities Which said bond is approved by the Court And the said Samuel is now duly sworn in open Court as such Administrator of said estate. And this estate is continued

Jonathan Hadley's
Estate

On motion to the Court Harlan Carter is appointed Administrator of the estate of Jonathan Hadley late of the County of Hendricks deceased he having produced and filed the renunciation of the widow of said decead And the said Harlan Carter now files his bond in the sum of One thousand dollars with John Hadley as his Security Which bond is approved by the Court And the said Harlan Carter is now sworn as such Administrator in open Court And this estate is continued

Joseph Pruett's
Estate

Comes now Alexander Pruett by Jones his attorney and files a certified copy of the proceedings had in the Mercer County (Kentucky) Court in relation to the administration of the estate of Joseph Pruett deceased Whereby

it appears that said Alexander has been duly appointed and qualified as Administrator of the estate of said Joseph in said the said Mercer County Court in the State of Kentucky And the said Alexander Pruett now files his memorial shewing the insufficiency of the personal estate of said deceased to pay and satisfy the debts and demands outstanding against said estate and praying for permission to sell certain real estate therein mentioned and described, an Appraisement and Valuation of which is also now filed, to-wit: The West half of the South East quarter of Section twenty nine, in Township fifteen, Range One East in the district of lands subject to sale at Crawfordsville Indiana. And the said Alexander now files his bond in the sum of five hundred dollars with Peter Selch as his security which said bond is approved by the court. And it appearing to the Satisfaction of the Court that Thomas J. Pruett, James C. Pruett, Sidney J. Pruett, Gabriel Morris, Elizabeth Sarah Jane Morris, Susan Jane Bragdell an infant within the age of twenty one years are nonresidents of the State of Indiana and Albert Pruett, Peter Selch, and Mary Selch, James Green and Eleanor Green are residents of the State of Indiana all of whom are heirs at law of the said Joseph Pruett deceased. And on motion it is ordered that a Summons issue to the Sheriff of Johnson County against Albert Pruett and one to the Sheriff of Hendricks County against Peter Selch and Mary Selch and James Glen and Eleanor Green requiring them to be and appear in this court on the first day of the next term and shew cause if any they have why the land aforesaid shall not be sold and made assets in the hands of said Administrator for the payment of the debts & demands outstanding against this estate And it is also ordered that the aforesaid nonresident heirs be notified by three successive publications in

the Indiana State Sentinel a newspaper of general circulation printed and published at Indianapolis to appear in this Court on the first day of the next term and Show Cause if any they have why the real estate aforesaid shall not be sold and made assets in the hands of said Administrator for the payment of the debts and demands outstanding against said estate. And this estate is Continued.

Henry M. Vories Admr. of the estate of George Medricks dec'd
vs.
Thomas C. Gray & William Shannon

Debt.

Now Comes as well the said plaintiff as the said defendant by their attorny And the defendants with draw their Demurrer by them filed herein And thereupon the Sheriff as he is Commanded brings here into Court the jurors of the Jury, towit: Charles C. Bell, John Searey, John M. Smith, Isaac Burnett, John Pearson, John A. Arnold, Lemon Christie, Joshua Picket, William C. Slayton, Joseph Coffin, Jubal Lee and Asa White twelve good and lawful Jurors of said County of Mendricks Whereupon the defendants by their attorney move the Court to set aside the Summoning and empanneling of said Jury, which motion is overruled And the said Jurors are elected tried and Sworn to enquire of the truth of the breaches assigned and to assess the damages sustained by the plaintiff thereon and said jury upon their oaths do say and find as follows We the Jury find for the plaintiff and assess the damages at $127.96 cent. D. Christie foreman." And the defendant move the Court to ~~set aside the verdict of the Jury~~ grant Venire de novo And by agreement of the parties day is given for the decision of said Motion

George Medricks
Estate

Comes now Henry M. Vories Administrator of said estate and Simon T. Hadley a Commissioner heretofore appointed by this Court to Convey certain real estate to Solomon Rushton, and makes and files the following report, towit: "The State of Indiana, Mendricks County, In Mendricks Probate Court, Nov. Term 1843. The undersigned having been by an order of this Court at the May Term thereof last appointed a Commissioner to Convey unto Solomon Rushton and his heirs by deed The East half of the South West quarter of Section thirty in Township fifteen North of Range two West, it being real estate formerly belonging to the estate of George Medrick deceased, report that he has executed to the said Rushton a deed for said premises in conformity with the aforesaid order of said Court, and that he has said deed now in Court. S. T. Hadley Commissioner". The Deed referred to in the above report is in the words and figures following towit: "This Indenture made this thirteenth day of November in the year of our Lord one thousand eight hundred and forty three, Between Simon T. Hadley a Commissioner appointed by the Honourable the Judge of the Probate Court of the County of Mendricks at the late May Term of said Court of the one part and Solomon Rushton of the County of the County of Mendricks and State of Indiana of the other part, Witnesseth That whereas George Medrick late of said State and County

now deceased, was in his lifetime and at the time of his death, lawfully seized in his own right of a certain tract of land in the County and State aforesaid known and designated in the United States Survey by being numbered as follows to-wit: The East Half of the South West quarter of Section thirty in Township fifteen North of Range two West; And being so seized as aforesaid died intestate. And whereas afterwards, to-wit: at a Probate Court held at Danville in said County on the 14th day of February A.D. 1840 Letters of Administration were granted unto one William Kelly on the estate of said deceased (the widow having relinquished her right to administer) who took upon himself the administration of said estate and administered thereon up to the twelfth day of August A.D. 1840 at which time at a Probate Court held in and for said County, by petition to the Court the said Kelly was released from said Administration on account of his bad health and One George S. West was by said Court appointed as such Administrator who likewise was qualified and took upon himself the administration of said estate. And afterwards, to-wit: on the 13th day of November A.D. 1840 it being the year aforesaid and at a term of the Probate Court aforesaid, on the petion of the said George S. West the Administrator aforesaid, setting forth that the personal estate of said intestate was insufficient for the payment of his debts, and praying the Court to make an Order for the sale of the aforesaid real estate or so much thereof as might be necessary to discharge the debts against said estate And exhibiting at the same time an Inventory of the said estate and of the debts due and owing by the said decedent at the time of his death

Whereupon the said Court ordered that the heirs of the said decedent should be notified to appear in said Court on the first day of the next term and shew cause if any there be why the real estate aforesaid, or forty five acres off of the South end of said tract should not be sold and made assets in the hands of said Administrator for the payment of the debts of said deceased, at which time and place, to-wit: at the February Term of said Court A.D. 1841, it was ordered by said Court that the heirs of said decedent be notified agreeably to an order of this Court made at the last Term thereof And afterwards, to-wit: at the May Term of said Court A.D. 1841 the said Court being satisfied that the personal estate is insufficient to pay the debts and demands outstanding against said estate, and no cause being shewn why the real estate aforesaid should not be sold and made assets in the hands of the Administrator for the payment of the debts aforesaid, It was therefore then and there ordered by said Court that forty five acres off of the South end of said tract of land be sold at private or public sale, and for the purpose of carrying into effect said sale that Simon P. Hadley be appointed a Commissioner to sell the land aforesaid. And afterward, to-wit: at the August Term of said Court A.D. 1841 the said Commissioner reported that he had not been able to effect a sale such And thereupon the Court continued the said Commissioner to make said sale and make report of his proceedings in the premises again at the next term of said Court. And afterwards, to-wit at the next Term of said Court (November Term 1841) the said Commissioner reported that he had not sold the said land as directed; Where-

upon it was at said time by said Court ordered that the said Simon S. Hadley as such Commissioner expose ~~to sale~~ at private sale the whole of said tract of land and report the same to said Court at the next term thereof. And afterwards, towit: at the next Term of said Court (February Term 2d 1842) the said Commissioner reported that he had not sold said land, heretofore ordered to be sold; Whereupon the said Court ordered that the said Commissioner sell and dispose of said lands as heretofore ordered and that he make report of his proceedings in the premises to the said Court at the next term thereof. And afterwards, towit: at the next term ~~thereof~~ of said Court (May Term A.D. 1842) the said Commissioner reported that, after having given general notice agreeably to the several orders of this appointment he did on the second day of March last at private sale sell the said premises with the appurtenances thereunto belonging (subject to the Widow's right of Dower therein) to Solomon Rushton for the sum of two hundred dollars, which sale afterwards, towit at a Probate Court held at Danville in and for said County on the ninth day of May A.D. 1842 was confirmed by the said Court. And afterwards at a term of said Court began and held at the Court House in the town of Danville in said County on the Eighth day of May A.D. 1843 among other things it was ordered that Simon S. Hadley be appointed a Commissioner to make, execute, acknowledge and deliver to Solomon Rushton and his heirs a deed of Conveyance to the East half of the South West quarter of Section thirty in Township fifteen North of Range two West with its appurtenances subject to the Widows right of Dower

(it being real estate belonging to the estate of George Hednick deceased) Conveying to the said Solomon Rushton all the right, title, interest and claim of whatsoever nature absolute (except the Dower right aforesaid) as fully and completely as the said George Hednick had and held the same at the time of and immediately before his death. Now therefore to Confirm to the said Solomon Rushton the sale so made as aforesaid and in pursuance of the order aforesaid, the said Simon S. Hadley Commissioner as aforesaid for and in Consideration of the aforesaid sum of two Hundred dollars in hand paid to the Administrator of the estate of the said Hednick deceased hath granted, bargained, sold, conveyed and Confirmed and doth by these presents grant, bargain, sell, convey and confirm unto the said Solomon Rushton his heirs and assigns forever all the aforesaid tract or parcel of land, towit: The East half of the South West quarter of Section thirty in Township fifteen North of Range two West (except the Dower right aforesaid therein) together with all the rights, privileges and appurtenances thereunto belonging & all the estate, right, title and claim of the said George Hednick in his lifetime in and to the same: To have and to hold the premises aforesaid with the appurtenances to the said Solomon Rushton, his heirs and assigns to his and their sole and only proper use, benefit, and behoof forever (except the dower right aforesaid) in as full and ample a manner as the said premises were held by the said George Hednick deceased at the time of and immediately before his death. In Witness Whereof the said Simon S. Hadley Commissioner as aforesaid and by anthority of the order aforesaid hath hereunto set his hand & seal the day and year first above written.

S. T. Hadley, Commissioner &c. Signed and Sealed in presence of Elijah Spencer, Jayhus Timmons.

The State of Indiana, Hendricks County. In Hendricks Probate Court November Term A.D. 1843. Be it remembered that on this the 13th day of November A.D. 1843 personally appears in open Court Simon T. Hadley the Commissioner who executed the foregoing deed and acknowledges the execution of the same to be his act and deed for the purposes therein mentioned. A. Bland Probate Judge.

Which said deed is approved by the Court and ordered to be delivered to the said Solomon Rushton. And the said Commissioner is allowed Three dollars for his Services in the premises.

And Court adjourned until tomorrow morning nine oclock

A. Bland Probate Judge

Tuesday Morning November fourteenth in the year Eighteen hundred and forty three

Court in session pursuant to adjournment. Present the same as yesterday

Heirs of the estate of Joshua B. Hadley dec'd

Comes now Simon T. Hadley Guardian of the aforesaid Heirs and makes and files the following report, to-wit (in wit) And this cause is continued

Priscilla Depuy &
Ambrose Depuy
Minors

Comes now Shilder Moore Guardian of the aforesaid heirs and makes and files the following report to-wit: (in wit) And this Cause is Continued

Heirs of the estates of Matthew & Joel Osborn

Comes now Simon T. Hadley Guardian and files a claim for five dollars and fifty Cents for Services by him rendered as such Guardian which is allowed by the Court And the said Guardian also makes and files the following report (in wit) Whereby he charges himself with the sum of $166.76 as being the whole amount that has come into his hands And

that he has paid out for the benefit of his Wards and filed the vouchers for the same $17.82. which leaves a nett amount of $108.81 belonging to his said six wards And that he settled with has paid Ira B. Osborn, Elijah C. Osborn and Lydia I. Hollings worth twenty four dollars and eighty one cents each And now files their receipts therefor Which leaves now in his hands seventy four dollars and forty two cents belonging to his wards Esther Osborn, Anna Osborn and Mary Ann Osborn with interest thereon from the first day of January 1863 which is loaned at six per cent. And this cause is continued

Elizabeth Joyce &
Malicent Jonjak
vs.
Gideon Mafford &
Milton H. Barlow

Comes now Nave attorney for the plaintiffs and shews to the satisfaction of the Court that the Alias Execution issued in this cause upon certain real estate belonging to the estate of said defts to wit: East half of the North East quarter of Section 33 & the West half of the North West quarter of Section 34 in Township 16 North of Range One East, and which was not sold for want of bidders, And on his motion it is ordered that the Clerk of this Court issue a writ of Venditioni exponas directed to the Sheriff of Hendricks County, Commanding him to advertise and sell the ~~said~~ lands aforesaid according to the form of the Statute in such case made and provided

Robert Davidsons
Estate

On motion to the Court Benjamin M. Logan and Mary Davidson (widow of deceased) are appointed Administrators of the Estate of Robert Davidson late of the County of Hendricks deceased, And the said Logan and Davidson now file their bond with James Logan as their security in the sum of One thousand dollars which is approved by the Court & And they are now sworn as such Administrators And this Estate is continued.

Nancy Jane Moreland
Infant

Comes now the Guardian by Nave his attorney and makes and files the following Report, to wit (viz): And on his motion this Cause is continued.

William Cox's
Estate

Comes now Jeremiah Kemp and files the following power of attorney executed by Mary Moffatt an heir of said estate, to wit: "State of North Carolina, Randolph County. Know all men by these presents, that I Mary Moffitt, of the County and State aforesaid, have nominated, appointed and constituted, and by these presents do nominate, appoint and constitute Jeremiah Kemp of the County of Parke in the State of Indiana, my true and lawful agent and attorney in fact, for me and in my name, to ask, demand, receive, ~~receipt~~ for, and to sue for and recover, if necessary, of and from one Harmon Cox, Administrator or Executor of my brother William Cox dec'd, late of Hendricks County in the State of Indiana, or

from any other person, whether a private person, or a public officer, out of my part, portion or distributive Share of the estate of my said deceased brother William Coy, both real and personal, and out of my said portion of the Proceeds thereof, if the same shall have been sold and converted into money, to the amount of Seventy Seven dollars & fifty Cent ($77.50.) And I do hereby ratify and confirm any and all acts and things that my said Agent & Attorney may do in the Premises pursuant to the power hereby granted and confirmed, to be as valid and effectual as though I myself had been actually present and had done the same in my own proper person. And know ye further, that I the said Mary Moffitt, for and in consideration of the sum of Seventy Seven dollars & fifty Cents to me in hand paid by the said Jeremiah Kemp, the receipt whereof is hereby duly acknowledged in full, have granted, assigned, set over and confirmed unto the said Jeremiah Kemp, all my right and title to the part of my Share of the said estate above mentioned, viz: to the said amount of Seventy Seven dollars & fifty Cents, for him to appropriate, and apply to his own use and benefit forever. In witness whereof I the said Mary Moffitt do hereunto set my hand and seal this 29th day of September A.D. 1843. Recorded

Mary (her mark) Moffitt Seal

Signed Sealed & delivered in the presence of B. Swaim.

State of North Carolina, Randolph County. I John Craven one of the acting Justices of the peace in and for said County, do hereby certify that Mary Moffitt, the maker of the foregoing power of Attorney and assignment to Jeremiah Kemp, this day personally appeared before me and duly acknowledged the same to be her act and deed for the purposes therein contained. Given under my hand and seal this 29th day of September A.D. 1843. John Craven J.P. Seal.

State of North Carolina, Randolph County. I, Hugh McCain, Clerk of the Court of the Court of pleas and quarter Sessions of said County, do hereby certify that John Craven Esq. is at this time one of the acting Justices of the peace in and for said County; that he is duly Commissioned & qualified to act as such, and was so Commissioned and qualified to act in said office at the time of taking the foregoing

acknowledgment; And that full faith and credit are due to all his official acts

Hugh McCain Clk Seal

State of North Carolina, Randolph County. I Henry B. Elliott, Chairman & presiding Magistrate of the Court of pleas and quarter Sessions of said County do hereby certify that Hugh McCain Esq. is the Clerk of our said Court duly appointed and qualified to act as such & that he is the Keeper of the Seal thereof. I do further Certify that that the foregoing Certificate is in due form of Law, and that the Seal thereto annexed, together with the Signature of our said Clerk, is genuine and are entitled to full faith and credit. Given under my hand and seal this 29th day of September A.D. 1843. H.B. Elliott Chr Seal"

And also produces and makes proof to the satisfaction of the Court that the said Mary Moffatt the maker of said power of Attorney is the same identical individual named and to whom (in connection with one William Moffatt her husband who it also appears has departed this life) a certain sum of money is bequeathed in and by the last Will and testament of said deceased. And it is ordered that the Clerk of this Court pay the amount named in said Power of attorney (to wit $77.50) over to the said Jeremiah Kemp out of any moneys in his hands belonging to said estate And further proceedings herein are continued

William Thornbrough Estate } Comes now the Administrator and files an Exhibit of his operations in said Estate whereby he charges himself with the sum of four hundred and ninety one dollars and twenty five and three fourth cents, he also produces Vouchers numbered from 1 to 33 both inclusive, a Claim for his services, an account for money by him paid out, and a receipt from the heirs of said estate (the clerks receipt for cost) amounting in all to the sum of four hundred and ninety one dollars and twenty five and three fourth cents, which covers the amount with which he stands

charged and fully and finally settles and closes said estate, Ordered therefore that said Admr. be discharged

David Fox, dec'd Estate } Comes now the Administrator by Marvin his attorney and on his motion this estate is continued.

John C. Faulkner, dec'd Estate } Comes now the Administrator and on his motion this estate is continued.

Ezra Cox, dec'd Estate } Comes now the Guardian by Marvin his attorney and on his motion this cause is continued.

Mary Ann & Sarah Jane Payne Infants } Comes now the Guardian herein and on his motion this cause is continued.

Thomas Fitzsimmons, dec'd Estate } Comes now the administrator and on his motion this estate is continued.

William Blanton, dec'd Estate } Comes now the Executor and on his motion this estate is continued

Daniel Parker, dec'd Estate } Comes now the Administrator and on his motion this estate is continued

Ezekiel Simmons' Estate } Comes now the Administrator and on his motion and for cause shewn this estate is continued.

Charles F. Fitzman, dec'd Estate } Come now the administrator and on their Motion and for cause shewn this estate is continued.

John Capsell, dec'd Estate } Comes now the Administrator and on his motion and for cause shewn this estate is continued

John Clampett, dec'd Estate } Comes now the administrator & on his motion and for cause shewn this estate is continued until tomorrow.

Samuel Gamble } It is ordered that a Citation
An Idiot } ijsue against James Stobaugh
Guardian of said Idiot, returnable
to the first day of the next term of this court, requiring
him, said Stobaugh to appear in this Court and
report the situation and condition of said Idiot
And further proceedings herein are Continued.

William Gamble }
an Idiot } On motion of C. C. Nave
further proceedings herein
are continued until the next term of this Court.

Margaret Gamble }
Idiot } On motion of C. C. Nave
further proceedings herein are
continued until the next term of this Court.

Frances Corbin, } Comes now the administrator
Estate } and on his motion this estate
is Continued.

Samuel Shannon, } Comes now the Securities
Estate } of the Executor herein
by Nave their attorney
And on their motion it is ordered that a citation
ijsue against said Executor, returnable instanter, re-
quiring said Executor to appear in this court and
make a report of his proceedings herein And the
said Executor now comes here into open court

and on his motion further proceedings herein are continued
until tomorrow.

The State of Indiana ex rel. }
of Henry McVories Admr. of the }
Estate of George Hedrick Decd. } Debt
vs.
Thomas C. Gray & William Shannon }

Come now the defen-
dants by Nave their attorney and file the following
causes in writing for setting aside the Verdict of the
Jury herein (insert) And after the argument of Counsel
the Court sets aside the Verdict of the Jury, and ~~award~~
~~a Venire for empannelling a Jury~~ it is ordered that
a Venire ijsue to the Sheriff of Hendricks County
commanding him to Summon twelve good and discreet
Householders or freeholders of said County to appear in
this court on the first day of the next term to Leve
as jurors in ~~said~~ the Cause to inquire of the truth
of the breaches assigned by the plaintiff and to
assess her damages

Ordered that Joshua D. Parker Sheriff be allowed
One dollar and twenty five cents for furnishing a bailiff
for the Jury in one cause one day $1.25.

Isaac Thornburgh &
George C. Thornburgh

Comes now the said Isaac Thornburgh a Minor within the age of twenty one years and over the age of fourteen years and files the following petition thereto (insert) And John Thornbrough comes also and files his petition praying the Court to appoint some suitable person Guardian of the estate of George C. Thornbrough in these words, towit: (insert) And thereupon the said Isaac Thornbrough being permitted selects and chooses John Thornbrough as his Guardian: Whereupon the said John Thornbrough is appointed Guardian for the protection of the Estates of the said Isaac and George C. Thornbrough. And the said John Thornbrough now files his bond in the sum of two hundred dollars with Benjamin Sanders as his Security which is approved And the said John is now sworn as such Guardian

And Court adjourned until nine O'clock tomorrow morning
A. Blanchard Presidg Justice

Wednesday morning November fifteenth in the year of our Lord one thousand eight hundred and forty three

Court in session pursuant to adjournment. Present the same as Yesterday.

Charles Sacrey
Estate

The Clerk of this Court having granted and issued Letters testamentary on the estate of Charles Sacrey late of the County of Hendricks deceased unto Stephen Stephenson And all things touching the same being examined by the Court it is ordered that the proceedings of the Clerk be in all things confirmed. And the said Executor now files an Inventory of personal property of said Estate And also a Sale Bill which are ordered to be recorded And further proceedings herein are continued.

John Frakes
Estate

The Clerk of this court having granted and issued letters Testamentary unto Joseph Wells on the estate of John Frakes late of Hendricks County deceased in Vacation and all things touching the same being inspected by the Court It is ordered that the proceedings of the clerk herein all things Confirmed And further proceedings herein are continued.

Cornelius Summers' Estate — The Clerk of this Court having granted and issued Letters of administration unto Stephen Arnold on the estate of Cornelius Summers late of the County of Hendricks deceased, in Vacation And all things touching the same being examined by the Court It is ordered that all things the proceedings of the Clerk be in all things Confirmed And the said Administrator now files an Inventory of the personal property of said deceased And also a Sale bill which are ordered to be recorded. And on motion to the Court it is ordered that said Administrator give notice of the granting of said letters by publication in the Western Sister a newspaper of general Circulation printed and published at Green Castle in Putnam County agreeable to law (there being no Newspaper published in the County of Hendricks) And further proceedings herein are Continued.

John Moberly's Estate — The Clerk of this Court having granted and issued Letter Testamentary on the estate of John Moberly late of Hendricks County deceased unto Elizabeth Moberly and Benjamin N. Moberly in Vacation And all things touching the same being inspected by the Court It is ordered by the Court that the granting of said Letters be in all things Confirmed And further proceedings herein are Continued

John P. Vaughan's Estate — The Clerk of this court having granted and issued Letters of administration on the estate of John P. Vaughan late of the County of Hendricks deceased unto Mary Vaughan and Henry C Green in Vacation And all things touching the same being inspected by the Court It is ordered that the proceedings of the Clerk be in all things Confirmed. And the said Administrators now file an Inventory of the personal property of said deceased, which is ordered to be recorded And further proceedings herein are continued.

John Miles, Sen'r. Estate — The Clerk of this court having granted and issued Letters Testamentary on the estate of John Miles, Sen'r late of the County of Hendricks deceased unto David Downs and William M. Rogers in Vacation And all things touching the same being inspected by the Court It is ordered that the granting of said Letters be in all things Confirmed And further proceedings herein are continued.

Thomas B. Caywood's Estate — The Clerk of this Court having granted and issued Letters of administration unto Simon P. Sladdy on the estate of Thomas B. Caywood late of the County of Hendricks deceased, in Vacation And all things touching the same being inspected by the Court It is ordered that the same be in all things Confirmed, And further proceedings

on Motion it is ordered that said Administrator give notice of the granting of said Letters by posting up five written advertisements (there being no newspaper published in said County of Mendricks). And further proceedings therein are Continued.

Catharine Clampett's Estate — Comes now David Walker Administrator of said Estate and makes and files the following report, to-wit: (insert) And also pays now here into Court Sixteen dollars in Cash (One dollar of which is on the Bank of Cincinnatio, and uncurrent) the amount named in the above report, Moneys belonging to said estate And on his motion further proceedings herein are Continued

John Clampett's Estate — Comes now David Walker administrator of said Estate and makes and files the following report, to-wit: (insert) And also pays here into Court the sum of twenty Dollars (the amount named in the above report) Moneys belonging to said estate And on his motion further proceedings herein are Continued

Mary Cutworth's Children — Comes now the Guardian herein and makes a report of the Condition of his wards And this cause is Continued

Infant Children of William Newby — Comes now Seth Newby, Mary Newby, Rebecca Newby, and Harmon Newby infants within the age of twenty one years and over the age of fourteen years and file the following petition for permission to choose a guardian to take care of their estate (in writing) And William Newby also comes and files his petition praying the Court to appoint some Suitable person Guardian of the estates of Anny Newby, Achsah Newby, Nancy Newby, Allen Newby, Stephen Newby and Ruth Newby And thereupon the said Seth, Mary, Rebecca and Harmon being permitted Select and Chose William Newby as their Guardian Whereupon the said William Newby is appointed Guardian of the estates of the said Seth, Mary, Rebecca, Harmon, Anny, Achsah, Nancy, Allen, Stephen and Ruth Newby And the said William Newby comes now here into Court and accepts said appointment And files his bond in the sum of two hundred dollars with Robert Millhouse as his security which said bond is approved by the Court And the said William is now qualified as such Guardian in open Court And further proceedings herein are Continued

Samuel Shannon's Estate — Comes now Edward Strange the Executor herein and makes and files the following report, to-wit (insert) And on motion of said Executor further proceedings herein are Continued

William Free :
Estate : Comes now John Free
Administrator and files
his Memorial Shewing the insufficiency of the
personal estate to pay and satisfy the debts outstan-
-ding against said estate And also files an
Inventory and appraisement of certain real estate
towit: The West half of the North West quarter
of Section twenty three Township Sixteen North
of Range One East And the West half of the South
West quarter of Section fourteen Township
Sixteen North of Range One East Which he
prays may be sold and made assets in his hands for
the payment of the debts aforesaid. And it
appearing to the Court that Jackson Woodward
and Polly his wife and Isaiah Free heirs of
this estate, are not residents of the State of Indiana
It is therefore ordered that they the said Jackson
Woodward and Polly his wife And Isaiah Free
be notified of the filing and pendency of this
Memorial by publication in the Indiana State
Sentinel a public newspaper printed and
published at Indianapolis in Marion County
notifying them to appear in this Court on the
first day of the next term and shew cause
if any they have why the lands aforesaid shall
not be sold for the purposes aforesaid. And
it is further ordered that a Summons issue
to the Sheriff of Hendricks County against
the said Sarah Free (widow of the deceased)
and John Roy and Sarah his wife Daniel
Free, Thomas Roy and Priscilla his wife, John
Free, Matilda Free, Susannah Free, Claiborne
Free and William Free, heirs of this estate
notifying them also to appear on the first

day of the next term of this Court and shew cause as aforesaid And said Administrator now files the following bond, towit: (insert) And on his motion this estate is continued

John M. Smith :
Estate : Comes now John Rush
Administrator and files
a note on James Stevenson for Sixteen hundred dollars
executed on the first day of June 1843 and due ten days
after date in Bank table funds (being the same note
with which he is charged in the Inventory) as void and desper-
-ate debt. And the said Administrator ~~Comes~~ now
files an additional bond in the sum of five hundred
dollars with William Plaster as his security which
said bond is approved by the Court And thereupon
the Court Confirm the granting of Letters of admini-
-stration on said estate to said Rush by the Clerk in
Vacation And said administrator now files an
Inventory of the personal property of said deceased
And also a sale bill which are ordered to be recorded.
And the said Administrator now files his Me-
-morial Shewing the insufficiency of the personal
estate to pay and satisfy the debts and demands out
-standing against the same. And also files an
Inventory and appraisement of Certain real estate
of which the decedent died seized, towit: Sixty acres
of land to be taken off equal width off of the East
side of the South West quarter of Section thirteen in
Township fifteen North of Range two West which
he prays may be sold and made assets in his
hands for the payment of the debts aforesaid
And the said Administrator also files a further
additional bond in the sum of one thousand

Circuit

dollars with William Plaster & Benjamin Nickman as his securities which said bond is approved by the Court And the said Administrator and Martha Smith (who is the only heir of said estate) Come and file the following agreement (in writing) Whereby the said Martha Smith admits the truth of the above memorial and agrees to waive all service of process and Consents that the Court shall grant the prayer of said Memorial and also asks the Court to make and order for the sale of the above said land Whereupon on due Consideration of the premises it is ordered that John Bush be and he is hereby appointed a Commissioner to make sale of the premises in said Memorial mentioned and described And it is further ordered that said Commissioner before offering the said premises to Sale shall give the same notice of the time and place of sale as is required to be given of the sale of real estate upon Executions And that he may sell the same either at public ~~Sale~~ or Private Sale on a credit of not more than twelve months taking the purchasers note with good security for the payment of the purchase money And it is further ordered that said Commissioner at the time of Sale execute to the purchaser a certificate of purchase stating the amount of Sale And that the purchaser on the payment of the purchase money will be entitled to a deed for the premises provided said Sale be confirmed by this Court And that in case said Sale be set aside he will be entitled to a return of his note or notes And it is further ordred that said Commissioner make report of his proceedings in the premises at the next term of this Court And further proceedings herein are Continued

Recorded

Joab Hadley, Estate } On motion to the Court this estate is Continued.

Lucinda Pierce, Matilda Pierce, Liberty L. Pierce, William Pierce, Sudena Pierce, & Mahala Pierce Minors } Comes now the Guardian herein and on his motion this Cause is Continued

Michael Robbins Estate } On motion to the Court it is ordered that a Citation ipsue against Sol Osborn the Administrator of this estate, returnable to the next Term requiring the said Administrator to appear in this Court and make report of the Condition of this estate. And further proceedings herein are Continued

Simon Hadley Estate } On motion to the Court this estate is Continued.

And Court adjourned until nine oclock tomorrow morning.

A. Bloom Probate Judge

Thursday morning nine o'clock November Sixteenth in the year Eighteen hundred and forty three

Court in session pursuant to adjournment. Present the same as yesterday

Heirs of the estate of Caleb Garrett dec'd } It is ordered that a citation issue against the Guardian herein returnable to the next term of this Court requiring him to appear and make report of the Condition of his said Wards And this Cause is continued

Heirs of the estate of Thomas White dec'd } It is ordered that a citation issue to the Sheriff of Putnam County returnable to the next term of this Court against Asury E West guardian requiring him to appear and report the Condition of his said Wards And further proceedings herein are continued

John Thompson's Estate } It is ordered that a citation issue against the Administrator herein requiring him to appear at the next term of this Court and report the Condition of said estate And further proceedings herein are continued

Heirs of the estate of Jesse Conner dec'd } It is ordered that a citation issue against the Guardian herein requiring him to appear in this Court at the next term and report the Condition of his said Wards And further proceedings herein are continued

Charles Merritt Infant } It is ordered that the Guardian herein be cited to appear in this Court at the next term and report the Condition of his said Wards And further proceedings herein are Continued.

Cynthia J & John M Wright Infants } It is ordered that the Guardian herein be cited to appear in this Court at the next term and report the Condition of his said wards. And further proceedings herein are continued.

Ann Hodges et al Minors } It is ordered that the Guardian herein be cited to appear in this Court at the next term and report the Condition of his said wards And further proceedings herein are continued

William Hedge Minor } It is ordered that the Guardian herein be cited to appear in this Court at the next term and ~~them~~ report the Condition of his said Ward And this cause is Continued

Daniel Boatwright's Estate } It is ordered that the Administrator herein be cited to appear in this Court at the next term and report the Condition of this estate And further proceedings herein are Continued

Isaac Taylor's Estate } It is ordered that the Administratrix herein be cited to appear at the next term of this Court and report the Condition of this estate And this estate is Continued.

John Hannah's Estate } It is ordered that the Executors herein be cited to appear at the next term of this Court and report the Condition of this estate . And this estate is continued.

William Farmer's Estate } It is ordered that the Executors herein be cited to appear in this Court at the next term and report the Condition of this estate And this estate is continued.

James D. Robards' Estate } It is ordered that the Administrator herein be cited to appear in this Court at the next term and report the Condition of this estate And this estate is continued.

William Pennington Estate } It is ordered that a Citation issue to the Sheriff of Boone County requiring the Administratrix herein to appear in this Court at the next term and make report of her proceedings herein And further proceedings herein are continued.

John Plaster's Estate } On motion of the Administrator herein this estate is continued.

Heirs of the Estate of Ransom Corlew Dec'd } On motion this cause is continued

John Willson Infant } It is ordered that Eli Watson the Guardian herein be cited to appear in this Court at the next term and report the Condition of his said Ward And further proceedings herein are Continued.

Wesley McKinley's Estate } On motion this estate is continued.

Daniel B. Inyer's Estate } It is ordered that the Executor herein be cited to appear in this Court at the next term and report the Condition of this estate And this estate is continued

And Court adjourned

Signed November 16th 1843

A. Blanders J.

Nancy Goings' Estate } Be it remembered that on this 9th day of Decr 1843 William Briggs filed the following bond in the Clerks office of the Hendricks Probate Court, to-wit (insert) And thereupon Letters of administration are granted and issued unto the said William Briggs on the estate of the said Nancy Goings late of said County of Hendricks County deceased, by the undersigned Clerk of said Probate Court, And the said William Briggs is now by me duly Sworn to honestly and faithfully discharge his duties as Such Administrator.

Attest. James M. Gregg, clerk

Clarence M. Cake's Estate } Be it remembered that on this 18th day of December 1843, Asa S. White filed the renunciation of Celia Cake of her right to letters of Administration on the estate of her husband Clarence M. Cake, which is as follows, (insert) And the said Asa S. White also files his bond with security as administrator of said estate which is in the words and figures following, to-wit: (insert) And thereupon Letters of administration on the estate of the said Clarence M. Cake, late of the said County of Hendricks, deceased, And the said Asa S. White is now by me duly Sworn to honestly and faithfully to discharge the duties and trusts committed to and required of as such Administrator.

Attest, James M. Gregg Clerk

Obadiah Mendenhall's Estate } Be it remembered that on this 1st day of January 1844 Ira Mendenhall and Jacob Kinzer filed their bond with Security in the Clerks Office of the Hendricks Probate Court, Conditioned for the true and faithful discharge of their duties as Administrators of the Estate of Obadiah Mendenhall, late of the County of Hendricks, deceased which bond is in the words and figures following towit (insert) Whereupon Letters of Administration on the estate of the said Obadiah Mendenhall are granted and issued unto the said Ira Mendenhall and Jacob Kinzer by the undersigned Clerk of said Probate Court And the said Ira and Jacob are now by me duly Sworn (affirmed) to honestly and faithfully discharge their duties as such Administrators.

Attest James M. Gregg, clerk

Aquilla Jordon's Estate } Be it remembered that on this 24th day of January 1844, Samuel Jourdon filed the relinquishment of Elizabeth Jordon, Widow of Aquilla Jordon, of her right to Letters of Administration on the Estate of the said Aquilla Jordon, late of the County of Hendricks, dec'd which is in the words and figures following, towit: And the said Joseph also files his bond with Security as the Administrator of said estate, which is in these words (insert) And thereupon Letters of Administration on the estate of the said Aquilla Jordon are granted and issued by me unto the said Joseph Jordon who is now by me duly Sworn as such Administrator. Attest. J. M. Gregg, clerk

William H. Hazlegrigg's Estate } Be it remembered that on this 9th day of February 1844, Daniel Kiger filed his bond with Security in the Clerks office of the Hendricks Probate Court, Conditioned that he will truly and faithfully perform the duties and trusts committed to him as Administrator of the estate of William H. Hazlegrigg, late of Hendricks County, deceased, &c which said bond is in the words and figures following, towit (insert) And thereupon Letters of administration on said estate are by me, Clerk of said Court, granted and issued unto the said Daniel Kiger on the estate of the said William H. Hazlegrigg, And the said Daniel Kiger is now here by me duly Sworn as such Administrator.

Attest, J. M. Gregg, clk

February Term 1844

At a term of the Probate Court of Hendricks County begun and held at the Court House in the town of Danville on Monday the twelfth Tenth day of February in the year of our Lord One Thousand Eight hundred and forty four.

Present the Honorable Abram Bland Sole Judge of said Court

English Crawford's Estate

On Motion to the Court William Crawford is appointed administrator of the Goods Chattels, rights, credits, moneys and effects of English Crawford late of said County deceased, and the said William Crawford Comes here into Court and accepts said appointment, and enters into bond with Harmon Heath his security in the Sum of five hundred dollars, and is Sworn as such administrator And further Proceedings herein are Continued

Robert Milhouse's Estate

On Motion to the Court William Newby is appointed administrator debonis non of the estate of Robert Milhouse late of the County of Hendrick, deceased. (it having been suggested to the Court that Samuel Milhouse to whom the Administration of this estate was last ~~heretofore~~ entrusted, had departed this life) And the said William Newby Comes into Court and enters into bond with Joseph Heath his security in the Sum of Twelve hundred dollars, and is duly Sworn as such Administrator And this estate is Continued.

Solomon Rushton vs Matilda Hedrick

Petition for Assignment of Dower

Now Comes the said Solomon Rushton by Harvey his attorney and files his petition in these words (insert) and also files a Notice of this Application and Proof of the Publication thereof in these words (insert) Whereupon Eldred Huff James Kersey and Edmund Clark are appointed Commissioners to lay off and assign dower to the said Matilda Hedrick in the premises aforesaid, to wit, The East half of the South West quarter of Section thirty in Township fifteen North of Range two West and this Cause is Continued and day is given

James Campbell's Estate

Comes Now Jeremiah Hadley Admr and pays here into Court fourteen dollars, and on his motion this estate is Continued.

Henry McVorris Admr of George Hedrick decd vs William Shannon & Thomas Gray

Debt No 1

On Motion of Mr Nave of Counsel for the defendants, the deposition of Peter Hedrick taken to be read as evidence in this Cause, is now published and filed with the papers of this Cause, and at the pltffs cost. this cause is Continued until tomorrow morning. On Motion of Mr Voris It is ordered that an attachment issue to the Sheriff of Hendricks County against William Houston a witness duly summoned to testify in this cause and who refuses to appear and testify, as is said and that said attachment be made returnable forthwith

Joseph Prueett's Estate

Comes Now the said administrator by Norris his attorney and on his motion it is Ordered that a citation issue to Johnson County for Albert Prueett and one to the Sheriff of Hendricks County for Peter Selch and Mary Selch his wife, James Green & Eleanor Green his wife, Notifying them to appear in this Court on the first day of the next term of this Court and Shew cause if any they have why the West half of the South East quarter of Section ~~Nineteen~~ Twenty nine in Township fifteen North, of Range one East Shall not be Sold and rnde offets in the hands of said Administrator for the payment of the debts and demands outstanding against the same. And it is further Ordered that Thomas C. Prueett, James C. Prueett, Sidney S. Prueett, Gabriel Morris, Elizabeth Sarah Jane Morris and Susan Jane Bragsdell, nonresident heirs of this estate, be notified by three successive publications in the Indiana State Sentenal, a newspaper of general circulation printed and Published at Indianapolis in Marion County, to appear in this Court on the first day of the next term, and Shew cause if any they have why the real estate aforesaid shall not be Sold for the purposes aforesaid. And this estate is Continued

Recorded

James Stobough Guardian of Samuel Gamble Margaret Gamble and William Gamble

Comes Now James Stobough and files the following report (viz) whereupon it is ordered that that the said Guardian sell the Lands aforsaid of

his said wards at public auction on a credit of twelve Months, first giving twenty days Notice of the time and place of Sale by posting up written advertisements in at least three public places in the Township in which the Lands situated, and upon such Sale to take from the Purchaser bond with good Security for the payment of the purchase money, and give to the purchaser a certificate of purchase subject to confirmation of this Court. And this estate is continued

James D. Robards Estate

Comes Now Thomas Newham administrator, and files his ~~Table~~ brief for Settlement Shewing to the Satisfaction of the Court, that the whole amount of ~~Goods~~ & property of which the decedent was possessed at the time of his death, did not amount by appraisement to the sum of One Hundred dollars, and that Mary Robards, the widow of the decedent has taken and received the same, at its appraisement, and that the said administrator has paid the fees of administration to-wit the sum of $11.10. And that Nothing remains now to be administered. It is therfor Ordered that the said administrator be and he is discharged and this estate closed.

And Court adjourned until tomorrow Morning nine Oclock

A. Blanc

February Term 1844

Tuesday Morning, Nine Oclock February the Thirteenth in the Year Eighteen hund=red and forty four Court in Sesion Pursuant to adjournment. Present the same as yesterday.

State of Indiana
vs
William Houston

Attachment for Contempt

The Sheriff brings here into Court the body of the said William Houston who is now Sworn and examined upon oath, and the Court being Sufficiently advised in the premises It is Ordered that upon the payment of the Costs of this Attachment, the said William Houston be discharged.

Elizabeth Joyce &
Malicent Joyce
vs
Gideon Stafford &
Milton H. Barlow
Admrs. of E. Barlow

Comes now the plaintiffs by Nave their attorney and the defendants by McCaughey their attorney, and On Motion to the Court by the said Stafford & Barlow administrators aforesaid, the order for a writ of Venditioni Exponas herein made at the last Term of this Court be and the same is hereby recinded. And it is ordered by the Court, that the Sheriff now return into this Court the writ of Venditioni exponas issued by the Clerk of this Court, pursuant to the order aforesaid, and now in the hands of the Sheriff of Hendricks County. Whereupon the said writ is now returned by the Sheriff aforesaid. And the plaintiffs file the following bill of Exceptions (viz)

The State of Indiana
for the use
& Relation of Henry M Norris
Adm's of George Sedrick
vs
William Shamond
Thomas C. Gray

Debt

Came now the parties by their Attorney and the Sheriff as he is Commanded brings hereunto Court the Jurors of the Jury towit Joel Self, Ashcraft Roach, William Haster, Jesse Camada, Henry Miller, Levi Combs, James Green, William Vestal, Erasmus Nichols, Benjamin Hiatt, James Glover, Andrew B. Shallody twelve good and discreet householders of said County, who being elected tried and Sworn well and truly to enquire of the truth of the breaches suggested by the plaintiff, and to assess his damages thereby Sustai=ned, upon their oath aforesaid do say and find the breaches suggested by the plaintiff to be true and assess the damages at twelve dollars and twenty Seven Cents. It is therefore Considered that the plaintiff recover against the said defendants the said Sum of twelve dollars and twenty Seven Cents the Amount of damages so as aforesaid by the Jury assessed besides also the Costs and Charges herein laid out and expended taxed at dollars and cents. And the defendants in mercy.

Joel Dixon Guardian
of James Williams heirs

On motion to the Court this estate is continued

Samuel M. Sheeters Guardian
of Caleb Garretts heirs
Comes Now the said guardian and on his Motion this estate is Continued. Ordered that the said guardian Pay the Costs of the Citation herein ispsd against him.

Henry E. West Guardian
of Thomas Whites heirs
Comes Now said guardian and Makes and files a report, and on his Motion this estate is continued. Ordered that said guardian pay the Costs of the citation ispsed against him returnable to this term

Solomon Blair guardian
of Caleb Sanders heirs
On Motion to the Court by said guardian this estate is Continued

Enoch Davis Guardian
of Nancy Jane Moreland
On motion to the Court this estate is continued

Robert Gossetts
Estate
On motion to the Court by Nave of Counsel for the administrator this estate is Continued.

John Thompsons
Estate
Comes Now the administrator and Makes and files a report, and pays into Court the Sum of four dollars, and on his Motion this estate is continued. Ordered that said Administrator pay the Costs of the citation ispsd against him returnable at this term.

Ransom Barlows
Estate
On Motion to the Court this estate is Continued.

Thompson Farmer guardian
of Ann Hedge et al
Comes Now said guardian and Makes and files a report, and on his Motion this estate is continued. Ordered that said guardian pay the Cost of a citation ispsd against him returnable to this term.

And Court Adjourned until tomarrow Morning Nine Oclock

A. Bland

February Term 1844

Wednesday Morning Nine Oclock February the fourteenth in the year of our Lord One Thousand Eight hundred and forty four

Court in Session

Pursuant to adjournment

Present the same as yesterday

David D. Troyer's Estate

Comes now David Fawcett Admr. and files an exhibit of his proceedings as such admr. for Settlement (viz:) whereby he charges himself with the Sum of Two hundred and seventy five dollars and Ninty three and three fourth Cents ($275. 93¾) that being the whole Amount which has come into his hands to be administered. And said administrator also claims Credits Amounting in all to the said Sums of $275. 93¾ and also forcents and files Vouchers Numbered from 1 to 6 both inclusive. which are examined and recived by the Court and which together with the differance between the Amount of the Inventory and sale bill Covers the amount with which said administrator stands charged and fully settles and closes this estate Ordred that said administrator be discharged.

Reason Reagan guardian of Mary Reagan

Comes now said guardian and together with thirteen vouchers in the words and figurs following to-wit whereby it appears that he has in his hands now at this time the Sums of $1089.40 of Money belonging to said infant. And further proceedings herein are continued.

Thomas Veach guardian of D Benjamin Veach's heirs

Said guardian Now makes and files a report stating therein that he has paid Asa Veach $29.36 his full distributive share of said estate, and that there remains in his hands Sixty five dollars belonging to Solomon & Samuel Veach, two of said infants which is at six per cent interest. And further proceedings herein are continued.

John Hedge guardian of William Hedge

Comes now said guardian and Makes and files a report, and on his Motion this estate is Continued. Ordered that the said guardian pay the Costs of a citation issued against him & returned to this term

Michael Robbins Estate

On Motion of the Administrator this estate is Continued. Ordered that the administrator pay the Costs of a citation issued against him returnable to this term

David McDaniel's Estate

On Motion to the Court by the Administrator, this estate is Continued

February Term 1844

William Cox's
Estate
On Motion to the Court by Mr Nave of Counsel for the administrator this estate is Continued.

James Dorrard guardian
of Ransom Carlew's Heirs
On Motion to the Court by Mr Nave of Counsel for said guardian this estate is Continued

Eli Watson guardian
of John Wilson
On Motion of Mr Nave for said guardian this estate is Continued. Ordered that said guardian Pay the Costs of a Citation herein issued against him returnable to this term

Peter Cameon's
Estate
On Motion this estate is Continued.

William King's
Estate
On a report here filed by the administrators, this estate is continued.

Lemuel T Hadley guardian
of David McDaniel's Heirs
On Motion of said guardian this estate is Continued

George Peck's
Estate
On Motion to the Court by Mr Norris attorney for the administratrix this estate is continued

John Hannah's
Estate
Comes now the Executors and files a report in the words following (viz:) and further proceedings herein are continued

Thomas Fitzsimmons's
Estate
Comes now the administrator and on his Motion this estate is Continued

William Stanton's
Estate
On Motion of Mr Norris attorney for the administrator, this estate is Continued.

David Vestal's
Estate
On Motion of the administrator this estate is Continued.

Enoch Harlan's
Estate

Comes here into Court the administrator and makes a report upon which this estate is continued.

Sandy Scott guardian
of Joseph H. H. Simmons

Comes now the guardian and makes a report in writing upon which this estate is continued.

William Farmer's
Estate

Comes now the executors and make a report upon which this estate is continued.
Ordered that the executors pay the costs of a citation issued against them returnable to this term

John M. Campbell's
Estate

On motion to the court by Mr Norris of counsel for the administrator this estate is continued.

Frances Carlew's
Estate

On motion to the court this estate is continued.

William Crawford guardian
of Hugh Crawford's heirs

On motion to the Court by said guardian this estate is Continued.

Hugh's Crawford's
Estate

On motion of the administrators this estate is continued.

Edward Ellis's
Estate

On Motion of the administrator this estate is Continued

Lovey Driggs
Estate

On Motion to the Court by the administrators this estate is continued.

David Mills Sr. guardian
of David Mills Jr.

On motion of said guardian this estate is continued.

Jacob Hiatt's
Estate

Comes now the administrator and on his motion this estate is continued.

February Term 1814

Robert Wilson guardian
of Levy Brigg's heirs
On motion by the guardian this estate is
continued

Hampton Pennington's
Estate
Comes now the administrator
by Mr. Norris his attorney and on his motion
this estate is Continued

Samuel Shannon's
Estate
On motion to the Court by Mr.
Norris of Counsel for the administrator this estate
is continued.

David Mathcock guardian
of Michael Robbins heirs
On motion of said
guardian this estate is continued.

John G. Smith's
Estate
Comes now the administrator by
Nave his attorney and on his motion this
estate is continued.

William C. Smith's
Estate
Comes now the administrator by Mr
Nave and on his motion this estate is continued.

George Hancock's
Estate
Comes now the administrator and
pays into Court the sum of twenty seven dollars
and on his motion this estate is continued.

John Teacher's
Estate
Comes now the administrator &
on his motion this estate is continued.

William Jackson's
Estate
Comes the executor and on his
motion this estate is continued.

Joseph Jenkin's
Estate
Comes the administrator and
on his motion this estate is continued.

David Hartman's
Estate
Comes the administrator by Norris
his attorney and on his motion this estate is
continued.

Thomas Wilson's
Estate

On Motion to the Court by the administrator this estate is continued.

Naomi Richards's
Estate

Comes now the executors by Mr Norris their attorney and on his motion this estate is Continued

John Straker
Estate

Comes now the executor by Mr Norris his attorney and on his motion this estate is continued

And Court adjourned until tomorrow Morning Nine O Clock

A Blanda

Thursday Morning Nine o'clock February the fifteenth in the year Eighteen hundred and forty four.

Court in Session pursuant to adjournment Present. the same as yesterday.

Nancy Goings
Estate

The Clerk of this Court having granted Letters of administration in vacation on this estate to William Briggs and the acts and proceedings of the Clerk being inspected and examined by the Court, It is Ordered that the same be in all things confirmed. And this estate is continued

Clarence M. Cake's
Estate

The Clerk of this Court in vacation having granted Letters of Administration on the estate of Clarence M Cake to Asa J White and the acts and proceedings of the Clerk being now examined and inspected by the Court, It is Ordered that the same be in all things confirmed. And an Inventory and Sale Bill is now presented to the Court, examined and Ordered to be recorded. And further proceedings herein are continued.

Obadiah
Ira Mendenhall's
Estate

The Clerk of this Court having in vacation granted Letters of Administration on the Estate of Obadiah Mendenhall deceased to Ira

Menderhall and Jacob Kinzer and the acts and Proceedings of the Clerk being examined and inspected by the Court it is Ordered that the same be in all things Confirmed. And an Inventory and Sale Bill is now presented to the Court examined and Ordered to be recorded And further Proceedings Herein are Continued

Aquilla Jordan's
Estate

The Clerk of this Court in vacation having granted Letters of administration on the estate of Aquilla Jordan late of Hendricks Count. to Samuel Jordan deceased, And the acts and Proceedings of the Clerk being examined and inspected by the Court It is Ordered that the Same be in all things Confirmed. and further Proceedings Herein are Continued.

William H. Harfenigg's
Estate

The Clerk of this Court in vacation having granted Letter of administration on the estate of William H. Harfenigg to David Kiger and the Proceedings and acts of the Clerk being now inspected and examined by the Court It is Ordered that the same be in all things Confirmed. And further proceedings Herein are Continued.

Jonathan Hadley
Estate

Comes now the administrator and files an Inventory and Sale bill of of this estate which are examined and ordered to be Recorded. And further proceedings herein are Continued.

Cornelius Summers's
Estate

Comes now the administrator and files a Sale bill of this estate which is ordered to be recorded. And further proceedings herein are Continued

George Medrick's
Estate

Comes now Henry M. Voris administrator and Master and files an exhibit of his operation as such administrator, shewing that this estate cannot be settled at this term, and that he is about to leave the State of Indiana, and praying that he may be discharged and another administrator appointed in his place, which said exhibit is in the words following (viz) And the said Voris files also the vouchers referred to in said exhibit, and upon examination of the Several papers, It is ordered that the said Voris as such administrator be discharged, and Simon T. Hadley is appointed administrator in the place room and stead of the said Voris. And the said Simon T. Hadley Comes herein to Court and accept of the appointment and files his bond in

the Sum of three hundred dollar with William S. Crawford his Security which is approved and is duly Sworn as Such administrator and further Proceedings herein are continued

Benjamin E. Bells
Estate

Comes Now James Green Administrator of this estate and makes and files an exhibit of his his opperations in this estate in the words following (insert) Whereby it appears that he has fully accounted for all that has come into his hands, and that Nothing remains to be administred, and that this estate is desperately insolvent, the whole proceeds of which being only Eighteen dollars & Sixty two cents. that is paid into Court for the payment of debts, and out of which the Clerks fees of estate accrued in the administration of this, Must first be taken. Ordered that Said administrator be discharged

Solomon Rushton
vs
Matilda Hedrick
Assignment of Dower

Comes here into open Court Eldred Kniff and Edmund Clark two of the Commissioners appointed to assign dower to the said Matilda, and are duly Sworn faithfully and impartially to discharge the duties assigned them as Such Commissioners. and day is given until tomorrow for said Commissioners to report their proceedings ~~on a subsequent~~ to this Court.

Martin Sawlers
Estate

Comes Now the administrator and Makes and files an exhibit of his proceedings as Such administrator whereby he charges himself with the Sum of $462.41¢ that being the whole amount of Said estate which has come into his hands to be administred And Also Claimes Credits and for which he Produces vouchers, which are examined and received by the Court, Amounting to the Sum of $478.46¢ leaving a balance in favor of the administrator of $16.05. Ordered that said administrator be discharged.

Amos J. Wills &
Lewis T. Saunds guardian
of Amos Darnall's heirs

Comes Now Said guardians and Make and file the following report, towit, (insert, and on their motion this estate is Continued

Elizabeth Joyce &
Millicent Joyce
vs
Gideon Heafford &
Milton F. Barlow Adm's
of Enoch Barlow
Motion to Set aside Sale of Real Estate

Comes Now the said Elizabeth and Millicent by Morrison Norris & Nave their attorneys and Move the Court to Set aside the Sale of certain

real estate, sold by Eland Huff as a Commissioner of this Court, to Harvey R. Barlow, and which said Lands were sold by Order of this Court as the Lands of the decedent for the payment of the debts and demands outstanding against the same; And the said Elizabeth & Millicent by their attorneys aforesaid now file the following Statement of Causes why the Sale should be set aside, towit, (insert) And thereupon the said administrators by McGaughey their attorneys Came and enter their appearance and waive all error for the want of Notice of said Motion. And after hearing the proof and allegations of the parties, and argument of Counsel it Ordered and decreed that the Sale of the real estate so made as aforesaid be set aside and held for naught, and that the Order of this Court confirming said sale be and the same is hereby rescinded. And the said administrators now file their bill of exceptions taken herein in these words and figures (insert)

Enoch Barlow's
Estate

Came now the administrators and file the following Inventory & appraisement of certain real estate of which Enoch Barlow died seized, towit, also the following memorial (insert) whereby it appears that there yet remains debts against the estate unpaid and that the lands aforesaid towit Lots No 17. 20. 68. & 77 in Michegan town in the County of Clinton and State of Indiana, And also a reversionary interest Commencing at the death of the Widow of the decedent, towit The East half of the South East quarter of of Section 33 and also part of the West half of the North West quarter of Section 34 in the following manner, beginning at the half mile stake on the Section line dividing Sections 33 & 34- thence East with Section bearing thirty two poles thence North 15° degrees West One hundred and six poles; thence West with Section bearing Sixteen poles to the Section line dividing said sections 33 & 34- thence South with said line One hundred and five poles to the place of beginning, And further, part of the West half of the South West quarter of Section 34 beginning at the aforesaid half mile stake, thence South with section line seventy poles, thence East with Section bearing twenty eight poles & 13 links to the West Bank of White Lick creek, thence North 1¼ degrees West along the bank of the creek twenty six poles & 16 links- thence West with Section bearing two poles, thence North 20 degrees West 22 poles- thence North 15 degrees East twenty two poles and forty two links to the line dividing said Section through the centre east and West- thence West with said line 32 poles to the place of beginning all in Township Sixteen North, of Range one East

11 Record

are yet the property of the estate of the dec-
-ent, and that Wherefor it is Ordered that the
heirs of said Estate be notified of the filing
and pendency of said Memorial by Summons
to appear in this Court on the first day of the
next term and Shew cause if any they have
Why the Lands aforesaid shall not be sold for
the purposes aforesaid And it is Ordered
that Several writs of Summons issue as
follows, towit, One Montgomery County for
Margaret Jane Barlow and Mary Barlow
children of John S. Barlow dec'd One to
Fulton County for Robert Martin & Jane his wife
Samuel Rodalpher & Mary Ann his wife. And
One to the Sheriff of Hendricks County for
Harvey R. Barlow & Theophalus H. Barlow
And further proceedings herein are Continued

Valentine Steerman's
Estate

Comes Now the administrator
and William L. Matlock Cashier here into Court
and files an account against this estate which
is examined by the Court and $16.37½ of the said
account is allowed. And Andrew R. Dickenson
also files an account against this estate for making
three coffins amounting to the sum of twelve dollars
which is allowed And it is Ordered that the
administrator pay the above claims And further
proceedings herein are continued.
And Court adjourned until Nine Oclock
tomorrow morning

A. Blanc

Friday Morning Nine Oclock February
the Sixteenth in the year Eighteen hundred and
forty four

Court in Session pursuant to adjour-
-nment

Present the same as yesterday

William Free's
Estate

Comes Now the administrator and the
said said Jackson Woodard & Polly his wife, Isaiah Free
John Ray & Sarah his wife, Daniel Free, Thomas Ray and
John Ingle & Priscilla his wife, Matilda Free, Susannah Free, Claiborn Free, William Free
and Sarah Free widow of the deceased
being three Called Came not but make default, and
the administrator now Shews to the Court the Summons
issued herein in these words (insert) and the Sheriffs
Return thereon as follows (insert) And also files a notice of
the pendency of this application with proof of the
Publication thereof agreeably to the Order of this
Court. Whereby it appears to the satisfaction of
the Court that the above named heirs have
been duly notified of the pendency of this
application agreeably to the Statute in such case
made and provided. And on motion to the Court
Jonathan S. Harvey is appointed a guardian ad
litem for John Free, Matilda Free, Susannah Free
Claiborn Free and William Free Minors under the
age of twenty one years and said guardian
Comes here into Court and makes and files the
following answer towit (insert) And the premises
and no Cause being shewn why the Lands shall not be sold for the purposes
being seen and inspected by the Court, It is Ordered
and decreed that the premises aforesaid be sold
at public auction on a Credit of twelve months, subject
to the dower right or Interest therein assigned in the premises
The aforesaid Land being the West half of the North

West quarter of Section twenty three Township Sixteen North of Range One East and the West half of the South West quarter of Section Fourteen Township and Range aforesaid And for the purpose of effecting the Sale of said Premises Simon V. Hadley is appointed a Commissioner and hereby fully authorized and empowered to sell the premises aforesaid. and at the time and report the same to the next term of this Court until when this estate is Continued.

Thomas B. Caywood's
Estate

Came now Simion V. Hadley administrator of this estate and files proof of the Notice of taking out Letters of administration upon this estate. and this estate is Continued

John M. Smith's
Estate

On Motion to the Court this estate is Continued

Aaron Harding guardian
of Martha Ann Skinner

Ordered that the guardian be cited to appear in this Court on the first day of the next term and report the Condition of this estate

Daniel Boatwright's
Estate

Ordered that a Citation issue to the Sheriff of Boone County against the Samuel C. Tyler the administrator of this estate requiring him to appear on the first day of the next term of this Court and Settle this estate or Show Cause why the Same can not be Settled.

Charles Reynold's guardian
of Ezra Cox's Heirs

Came now said guardian and files refunding bonds Made and executed by William D. Cox & William Woodard his Security one by William Pierce & Caleb Summers his Security and one by John D. Cox and James Miller his Security And further proceedings herein are continued

Solomon Rushton
vs
Matilda Hedrick

A Specimen of Dower

Came now Edmund Clark and Eland Neff two of the Commissioners herein before appointed and Make and file the following report, towit: "State of Indiana, Hendricks County. In the Probate Court of Hendricks County, February Term 1844. Matter of Solomon Rushton vs. Matilda Hedrick Petition for Assignment of Dower. To the Honorable Abraham Bland, Probate Judge of said County of Hendricks. The Undersigned Commissioners appointed by your Honour, at the February Term 1844 of said Court, to

to assign to Matilda Hedrick, widow of George Hedrick late of said County, deceased, her dower in the following Real Estate of which the said George Hedrick died seized, towit: The East half of the South West quarter of Section Thirty in Township fifteen North of Range two West, Report; That they have performed that duty as follows, towit, By assigning to said Matilda that part of said tract of land bounded as follows; Commencing at the North West Corner of said tract of land, thence South with the Western boundary line, Seventy two poles, thence East with Section bearing Seven poles to the State Road leading from Danville to Green Castle, thence North Six & one half °, East forty one poles & four links, thence East with Section bearing fifty one poles and four links to the Eastern boundary line of said tract of land, thence North with said line thirty one poles to the North East Corner of said land, thence West with the North boundary line of said tract of land Sixty Six poles and Eleven links to the place of Beginning Containing fifteen Acres, two Roods and thirty four poles. Given under our hands and Seals this 16th day of February 1844. Eldred Huff (Seal) Edmund Clark (Seal) Commrs

Commissioners fees
E. Huff & E. Clark $1.50 each

And the said Eldred Huff and Edmund Clark now here in open Court acknowledge the above report, and the same is Ordered to be recorded And it is further Ordered and decreed by the Court

That the said Matilda Hedrick have and hold the Premises aforesaid, so set off and and assigned by the said Huff and Clark Commissioners as aforesaid, for her dower in the Land aforesaid.

Ordered that Joshua D Parker Sheriff be allowed One dollar Sixty two & half Cents for Service of bailiff One day. Broom and Candles furnished by him for the use of this Court

Charles T. Leitzman
Estate
Comes now Simon T. Hadley administrator of this estate and files a report in the words following towit, (Insert) Whereby it satisfactorily appears to the Court that James T. Hadley has fully paid the purchase money for Block No Seventeen (17) in the town of Danville and that he is now entitled to a deed of conveyance to the same Whereupon Simon T. Hadley is appointed a Commissioner of this Court to make, execute & acknowledge a deed of conveyance of, and for the said Block No 17 in the town of Danville to the said James T. Hadley his heirs and assigns and that he report the same to the next term of this Court

And Court adjourned

A. Bland

Vacation

Zechariah Smith's Estate

Be it remembered that on this 29th day of February 1844, Samuel Frankeburger filed in the Clerks office of the Hendricks Probate Court the renunciation of the right of Agnes Smith, widow of Zechariah Smith late of Hendricks County, deceased, to letters of Administration on the estate of the said Zechariah, which is in the words and figures following, to-wit: (insert) And the said Samuel Frankeburger also files his bond with security as administrator of the estate of the said Zechariah Smith, which is in the words and figures following, to-wit: (insert) And thereupon Letters of administration on said estate are by me, Clerk of said Court, granted and issued unto the said Samuel Frankeburger who is now by me duly Sworn as such Administrator.

Attest, J. M. Gregg, clerk

John Scott's Estate

Be it remembered that on this 25th day of March 1844, Francis Scott filed in the Clerks office of the Hendricks Probate Court, the relinquishment of the right of Elizabeth Scott to Letters of administration on the estate of John Scott, her husband, late of the County of Hendricks, deceased, which is in these words (insert) And the said Francis Scott also files ~~the~~ his bond with Security, in these words (insert) And thereupon Letters of Administration are granted and issued to the said Francis on the estate of the said John in these words: "I James M. Gregg Clerk of the Probate Court in and for the County of Hendricks, in the State of Indiana, do hereby Certify that administration of the goods, chattels, rights, credits, money and effects which were of John Scott, late of Hendricks County, deceased, who died intestate, is granted to Francis Scott: And the said Francis Scott having qualified and given bond as such administrator, is duly authorized to take upon himself the administration of such estate according to law. Witness my hand and the Seal of said Court this 25th day of March in the year of our Lord one thousand eight hundred and forty four

(Seal)

J. M. Gregg, Clk"

Vacation

John Tout's Estate

Be it remembered that on this 15th day of March 1844 in the vacation of the Hendricks probate court, the last will and testament of John Tout, late of the County of Hendricks and State of Indiana was produced by John Money and John Triggs the executors therein named, and duly proved by the oath of Henry Miller one of the subscribing witnesses. Whereupon Letters testamentary were granted and issued in the words & figures following, towit, "I James M. Gregg Clerk of the Probate Court of Hendricks County in the State of Indiana do certify the annexed to be a true copy of the last Will and testament of John Tout late of said County, deceased, and of the certificate of probate as endorsed thereon; And that John Money and John Triggs having duly qualified & given bond as required by law as the Executors therein named, are duly authorized to take upon themselves the administration of the estate of the said testator according to the said Will.

Witness my hand and the seal of our said Court hereto affixed at Danville this 15th day of March 1844. J. M. Gregg Clk

Copy of Will

"I John Tout of Hendricks County Indiana, do make and publish this my last Will and testament, hereby revoking and making void all former Will by me at any time heretofore made. First, I direct that my body be decently interred, and that my funeral be conducted in a manner corresponding with my estate and situation in life And as to such worldly estate as it has pleased God to intrust me with I dispose of the same in the following manner, towit: I direct first that all my just debts

and funeral expenses be paid as soon after my decease as possible out of the first money that shall come to the hands of my Executors from any portion of my estate, real or personal I also direct that a fair valuation or appraisement be made by three judicious neighbours of all my said estate, including all my personal estate, except my household and kitchen furniture, which I give and bequeath to my beloved wife, therefore excepted, And after being signed with their names, that a copy of the same be given by them to each of my Executors. I also direct that the above said property be sold at public Auction and entery on a credit of twelve months and the amount secured thereof by bond and good Securities as is usual in like Cases. And for the purposes of discharging all my debts and expenses I further direct that after all just dues owing to me and my personal property as above is taken into Consideration with the intention to be applied towards paying of my debts if there should be just debts yet standing against my estate, that the following order be strictly observed with regard to my real estate, as follows, towit: In the first place I direct that the West half of the South East quarter of Section Eighteen in Township Seventeen North of Range One East And secondly if there should be need for the purposes aforesaid the Mill And Mill privileges and Water privileges now on the lot of land whereon I reside, and known by it being the West half of the North East quarter of Section Thirty two in Township Seventeen North of Range one East And in the third place if there should still be need for the purposes aforesaid sale of the South end of the lot last aforementioned and described to satisfy all debts and expenses aforesaid, after being appraised as before I directed in regard to my personal property, be sold on a Credit as follows, towit: One third part in Six months And another third part in twelve months, And the balance in Eighteen months from the day of Sale

by taking bonds and good sureties to insure the full and punctual payment thereof And to effectuate this my intention I hereby vest my Executors with full power and authority to dispose of my real estate in fee in as full and ample a manner as I could myself do if living. I also direct that the balance of my personal estate and any thing otherwise after my just debts and expenses is paid off with household and Kitchen furniture before mentioned, shall be and remain the absolute property of my beloved wife if she shall be living at the time of my decease, so long as she shall remain my Widow but so soon as she shall change her state by Marriage she by such Marriage is not entitled to any thing whatsoever. And I further direct that all the property that may be in her possession at the time of such Marriage shall be equally divided amongst my children, each to share alike, and if my wife remains my Widow until her decease no division shall be made among my children until after her decease, then and after the decease of my beloved wife that an equal division be made among my Lineal children of whatsoever property my said wife may die in possession of, each to share alike. And I hereby make and ordain my worthy and esteemed friends John Money and John Smith Executors of this my last Will and testament. In Witness whereof I John Sout the testator have hereunto set my hand and seal this the fifth day of January in the year of our Lord Eighteen hundred and forty four.

John Sout Esq

State of Indiana
Hendricks County ss. I James M. Gregg, Clerk of the Probate Court of said County, do Certify that the within Will of John Sout late of said County, deceased, was on the 15th day of March 1844 before me duly admitted to probate; that the same was duly proved according to law by the oath of Henry Miller one of the Subscribing Witnesses to said Will; And that a full and Complete record of said Will, And the proof and examination of the said Henry Miller, by whom the same was proved, has been duly recorded at page 134 of Book No One of the record of Wills in said County of Hendricks.

Witness my hand and seal of office this 15th day of March 1844.

J. M. Gregg Clk

(1000 ~~750~~ words)

Daniel Potter's Estate.

Be it remembered that on this third day of April 1844 the following renunciation of Hannah Potter, widow of Daniel Potter late of the County of Hendricks in the State of Indiana, deceased, was filed in the Clerks office of the Hendricks ~~Circuit~~ Probate Court (to wit: insert) also the following bond (insert) And also the following oath of office (insert). And thereupon Letters of administration on said estate were granted and issued unto Jadock Potter in the words and figures following to wit: I James M. Gregg, Clerk of the Probate Court in and for the County of Hendricks, in the State of Indiana, do hereby Certify that administration of the goods, chattels, right, credits, moneys, and effects which were

of Daniel Potter, late of said County, deceased, who died intestate, is granted to Zadock Potter; And the said Zadock Potter having qualified and given bond as such administrator, is duly authorized to take upon himself the administration of such estate according to law.

Witness my hand and the Seal of said Court, this 5th day of April, in the year of our Lord one thousand eight hundred and forty four.

J. M. Gregg Clerk

James Barnhill's Estate

Be it remembered that on this 9th day of April 1844 the following renunciation of Cynthia Barnhill widow of James Barnhill late of Hendricks County Indiana deceased ~~to wit~~ was filed in the Clerks office of the Hendricks Probate Court to wit: (insert) Also the following bond (insert) also the following oath of office (insert) And thereupon Letters of administration on the estate of the said James Barnhill is by me granted and issued unto Hugh Barnhill in the words and figures following, to wit:

"I James M. Gregg Clerk of the Probate Court in and for the County of Hendricks in the State of Indiana do hereby certify that administration of the goods chattels, rights, credits, moneys and effects which were of James Barnhill, late of said County, deceased who died intestate is granted to Hugh Barnhill And the said Hugh Barnhill having qualified and given bond as such Administrator is duly authorized to take upon himself the administration of such estate according to law. Witness my hand and the Seal of said Court this 9th day

of April 1844. J. M. Gregg clerk
By G. R. Crawford D.C

George Darnall's Estate

Recorded

Be it remembered that on this 25th day of April 1844 Willson M. Darnall filed in the office of the Clerk of the Hendricks Probate Court, the relinquishment of the right of Margaret Darnall, widow of George Darnall late of the County of Hendricks deceased, to letters of Administration on the estate of her said husband, which is in these words, (insert) And the said Willson also files in the office aforesaid his bond in these words (insert) And also the following copy of his oath as administrator of said estate (insert) And thereupon Letters of Administration on the estate of the said George Darnall are issued and granted unto the said Willson M. Darnall in these words; "I James M. Gregg, Clerk of the Probate Court in and for the County of Hendricks, in the State of Indiana, do hereby Certify that administration of the goods, chattels, rights, credits, money and effects which were of George Darnall, late of Hendricks County, deceased, who died intestate, is granted to Willson M. Darnall; And the said Willson M. Darnall having qualified and given bond as such Administrator, is duly authorized to take upon himself the administration of such estate according to law.

Witness my hand and the seal of said Court, this 25th day of April in the year of our Lord one thousand eight hundred and forty four.

(Seal)

J. M. Gregg, Clerk

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