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George H. Reitzel Admr Est David Reitzel vs Susan Reitzel et al

Be it remembered that on the 30th day of January 1893 there was filed in the office of the Clerk of the Hendricks Circuit Court a Petition for the Sale of Real Estate which petition is in the words and figures as follows to Wit

State of Indiana Hendricks County ss:

George H. Reitzel
Administrator of the
Estate of David
Reitzel Deceased

vs

Susan Reitzel
William Reitzel
Luther Reitzel
John Reitzel
Catharine Rhodes
Salome Duncan
Aaron Reitzel
Jane Burgelin
Perlina Lane
Temp Ann Trester
Myrtle Ryan
Henry H McCormick
Alfred McCormick
Frank McCormick
Alice Grimes
David A. Reitzel
Matilda Masten

No 1174.

Hendricks Circuit Court

March Term 1893

George H. Reitzel Administrator of the Estate of David Reitzel deceased shows to the court that he is the duly and legally appointed and acting administrator of said Estate and that the defendants are the grand children and children heirs at law and only heirs of said decedent. That said decedent left him surviving a widow. Susan Reitzel. to whom by the proper proceeding in the January Term 1893 of this court there was set off her one third interest. in value. of the Real Estate of said decedent in severalty forever. and that she has no interest in the real Estate hereinafter described. which is subject to sale to pay the debts of said decedent. The administrator says the personal property that has come into his hands belonging to said Estate amounts to $1372.59 as shown by the Inventory on file. of which property there was taken

by the widow at its appraised value on her $500.00 claim the sum of $292.72 He says that claims have been filed and allowed against said Estate as follows

Paulina Lane	285.43
Frank McCormick	285.43
Henry A McCormick	285.43
Alfred McCormick	285.43
Carried Forward	$1141.72
Brought Forward	$1141.72
Myrtle McCormick (now Ryan)	285.43
Tempa Tresler	285.43
Alice Grimes	285.43
W. E. Leitzman	1000.00
Saloma E Duncan	2000.00
Total claims filed and allowed	$4998.01
Due the Widow on her $500.00 claim	207.30
Funeral Expenses about	125.00
Doctor Bill about	3.00
Total Expense of administration about	300.00
Total Indebtedness about	$5633.31

Leaving an indebtedness of the Estate over and above the personal Estate in about the sum of $4.653.31

The Administrator further says that said decedent died the owner in fee simple of the following described Real Estate in Hendricks County in the State of Indiana. Which is liable to be made assets for the payment of the debts of said decedent to wit: A part of the North East quarter of Section seven (7) Township Fourteen (14) North in Range one (1) West and described as follows:- Beginning at the north East Corner of said section: thence West 40 86/100 chains to the North Half Mile stake of said section: thence South 22 73½/100 chains to a Stone: thence East 40 37/100 chains to the East line of said section seven (7): thence North 22 78½/100 chains to the place of beginning Estimated to Contain 91 86/100 acres more or less. Also a part of the North West quarter of section Seven (7) Township Fourteen (14) North in Range one (1) West and described as follows:- Beginning at the center of Section Seven (7) Township and range aforesaid: thence West 7 chains and 73½ links to a Stone; thence North 33 88/100 chains to a Stone: thence East 7 73½/100 chains to a Stone; thence South 33 chains to the beginning. Estimated to contain 25 47/100 acres more or less and

all of the probable value of 6.000.00 Wherefore he asks for an order of the Court to sell said real Estate at private sale for one third in cash on day of sale. one third in six months and one third in twelve months from day of sale

G. W. Reitzel Administrator

Subscribed and Sworn to before me this 20th day of January 1893

Enoch S Hogate

Notary Public

[Seal]

Enoch S Hogate being duly sworn says that the defendant in the above cause viz: William Reitzel. Luther Reitzel. John Reitzel and Catharine Rhodes are not residents of the State of Indiana at this time

Enoch S Hogate

Subscribed and Sworn to before me this 20th day of February 1893

David Hadley Clerk

The Clerk will issue process hereon returnable March 6th 1893 being the 1st day of the March Term 1893 and set this cause for hearing on said day

Hogate and Clark attys for Admr

and afterwards. to wit on the 7th day of March 1893 the same being the 2d day of the March Term. 1893 of the Hendricks Circuit Court. before the Hon: John V Hadley Sole Judge thereof proceedings were had of record in said cause in the words and figures following to wit: Comes the Administrator herein by Hogate and Clark attorneys and shows to the Court the affidavit of Julian D. Hogate. Editor of the Hendricks County Republican a public weekly newspaper of general circulation printed and published in the County of Hendricks and State of Indiana. from which it appears that a notice of the pendency of this petition herein had been given William Reitzel Luther Reitzel John Reitzel and Catharine Rhodes for three weeks in succession in said newspaper more than 30 days before the first day of the present term of this Court said affidavit reads as follows

Notice of Petition to Sell Real Estate. Probate Cause No 1174

George W Reitzel administrator of the Estate of David Reitzel dec caused vs Susan Reitzel et al. In the Circuit Court Hendricks County Indiana March Term 1893 To William Reitzel Luther Reitzel John Reitzel and Catharine Rhodes impleaded with others you are severally hereby notified that the above named petitioner as administrator of the Estate aforesaid. has filed in the Circuit

Court of Hendricks County Indiana a petition making you defendants thereto and praying therein for an order and decree of said Court authorizing the sale of certain real Estate belonging to the Estate of said decedent and in said petition described to make assets for the payment of the debts and liabilities of said Estate and that said petition so filed and pending is set for hearing in said Circuit Court at the Court House in Danville Indiana on the 1st judicial day of the March Term 1893 of said Court the same being the 6th day of March 1893 Witness the Clerk and Seal of said Court This 30th day of January 1893 [Seal]

David Hadley Clerk

State of Indiana Hendricks County ss:

Personally appeared before the undersigned Julian D. Hogate editor of the Hendricks County Republican a public weekly Newspaper of general circulation printed and published in Danville in the County aforesaid who being duly sworn upon oath saith that the notice of which the attached is a true copy was duly published in said paper for three weeks successively the first of which publication was on the 2d day of February 1893 and the last on the 16th day of February 1893

Julian D. Hogate

Subscribed and Sworn to before me this 23d day of February 1893

David Hadley Clerk

And now the plaintiff shows to the Court the writ of summons issued herein to the Sheriff of Hendricks County together with the return of the Sheriff endorsed thereon from which it appears that Susan Reitzel. Laloma Duncan. Aaron Reitzel. Jane Burgelin. Perlina Lane. Temp Ann Trester. Myrtle Ryan. Henry A. McCormick. Alfred McCormick. Frank McCormick. Alice Grimes. David A. Reitzel. and Matilda Masten. had been served with summons herein at least ten days before the first day of the present term of this Court. said summon and sheriff return are filed herewith. as follows.

The State of Indiana. Hendricks County ss:

The State of Indiana to the Sheriff of Hendricks County- Greeting

You are hereby Commanded to summons Susan. Reitzel Laloma Duncan Aaron Reitzel. Jane Burgelin. Perlina Lane. Temp Ann Trester Myrtle Ryan Henry A McCormick Alfred McCormick Frank McCormick Alice Grimes. David A Reitzel and Matilda Masten

to appear in the Circuit Court of Hendricks County before the judge thereof on the 6th day of March 1893 being the 1st day of the March Term held in the Court house in Danville beginning on the first Monday of March 1893 to answer the petition of George W. Reitzel Administrator of the Estate of David Reitzel deceased wherein he prays for a sale of the Real Estate of said decedent to make assets to pay his debts and of this writ make due return

Witness the Clerk of said Court and the Seal thereof hereunto affixed at Danville Indiana This 31st day of January 1893

David Hadley

Clerk of Hendricks Circuit Court

Came to hand January 31st 1893 and served as commanded by reading to and within the hearing of the within named Susan Reitzel Laloma Duncan Jane Burgelin Temp Ann Trester Myrtle Ryan Alice Grime Matilda Masten and served Aaron Reitzel Perlina Lane Henry A. McCormick Alfred McCormick. Frank McCormick and David A Reitzel by leaving a true copy of the within summons at their last and usual place of Residence

This the 15th day of February 1893

John T. Taylor, Sheriff

and the said Susan Reitzel. William Reitzel. Luther Reitzel. John Reitzel. Catharine Rhodes. Laloma Duncan. Aaron Reitzel. Jane Burgelin. Perlina Lane. Temp Ann Trester. Myrtle Ryan. Henry A. McCormick. Alfred McCormick. Frank McCormick. Alice Grimes. David A Reitzel and Matilda Masten failing to appear and answer the petition herein they are each three times loudly called but come not and herein wholly make default. And now the cause comes on for trial. on the petition, publication as to non resident defendants and proof thereof and summons and default without the intervention of a jury. and after hearing the evidence and inspecting the proof and being fully satisfied in the premises the Court doth say and find. That George W Reitzel is the duly and legally appointed. qualified and acting administrator of David Reitzel deceased: that the defendants are the widow children and grand children of said decedent the heirs at law and only heirs of said decedent: that at the January Term 1893 of this Court there was set off to the defendant Susan Reitzel. her full. one third in value in fee simple. of all the real Estate of which decedent died seized

the said Susan being the Widow of said David Reitzel deceased.
The Court further finds that the personal property that has come into the hands of the administrator amounts to $1272.50 of which amount there was taken by the Widow her absolute Claim of $500.00 the sum of 392.70. The Court also finds that claims have been filed and allowed against said Estate amounting to the sum of $4.998.01 and that the other indebtedness of the Estate including expense of administration will amount to about the sum of $635.80 leaving an indebtedness of the Estate over and above personal property of about $4.653.81
The Court also finds that the decedent died the owner in fee simple of the real Estate described in the petition herein which is liable to be made assets for the payment of the indebtedness of said decedent. The Court finds the allegations of the petition to be true and that said Real Estate ought be sold to pay debts and now said administrator files an Inventory and Appraisement of said real Estate from which it appears that said Real Estate was appraised by J. M. Jackson and J. F. Martin two reputable Householders and freeholders of Hendricks County at the sum of $5663.00 said inventory and appraisement reads as follows. State of Indiana Hendricks County ss: We John Jackson and J. F. Martin do Solemly swear that we will honestly and impartially appraise the real Estate of David Reitzel deceased that shall be exhibited to us at its fair cash value

J. M. Jackson
J. F. Martin

Subscribed and Sworn to before me this 3rd day of March 1898
G. W. Reitzel Administrator

An Inventory of all the real Estat of David Reitzel deceased not set off to his Widow and described as follows to wit:-
a part of the North East quarter of section seven (7) township fourteen (14) north in range one west and described as follows Beginning at the north East Corner of said section: thence west 40 36/100 chains to the north half mile Stake of said section: thence South 22 73 1/3/100 chains to a Stone: thence East 40 37/100 chains to the East line of said section seven (7) thence north 22 73 1/3/100 chains to the place of beginning estimated to contain 91 86/100 acres more or less and appraised by us at the sum of $3130.00
Also a part of the South East quarter of section seven (7)

Township fourteen (14) North in range one west and described as follows Beginning at the east half mile Stake of said Section: thence South 15 43/100 chains to a Stone: thence west 40 40/100 chains: thence north 15 65/100 chains to the center of the section: thence 40 36/100 chains to the place of beginning. estimated to Contain 62 76/100 acres more or less. and appraised by us at the Sum of $1668.00
Also a part of the north west quarter of section seven (7) township fourteen (14) North in range one (1) west and described as follows Beginning at the center of section seven (7) township and range aforesaid. thence west seven (7) chain and 73 1/2 links to a Stone: thence north 32 80/100 chains to a Stone: thence East 7 73 1/2/100 chains to a Stone thence South 33 chains to the beginning estimated to contain 25 47/100 acres more or less and appraised by us for the Sum of $875.00.
And we do appraise all said real Estate above described at the Sum of $5663.00
All of said real Estate is situate in the County of Hendricks and the State of Indiana

Witness our hands this 3rd day of March 1898
Signed J. M. Jackson
Signed J. F. Martin
Appraisers

And now said administrator files a bond in the Sum of $11,266.00 with George W. Milhon and J. W. Leitzman as his Surety conditioned for the faithful discharge of his duties in and about the Sale of said real Estate which bond and the security thereto are approved by the Court and read as follows. Know all Men by these presents That we George W. Reitzel George W. Milhon and J. W. Leitzman are bound unto the State of Indiana in the penal Sum of Eleven Thousand two hundred and Sixty Six Dollars. to pay which we jointly and severally bind ourselves our heirs Executors and administrators
Sealed and dated the 4th day of March 1898
The conditions of the above obligation is that as the above bound George W. Reitzel. Administrator of the Estate of David Reitzel deceased has been ordered by the Circuit Court of Hendricks County to Sell all Real Estate of the said decedent
Now if the said George W. Reitzel will faithfully discharge the duties of his trust according to law then the above obligation is to be void else to remain in full force in law
Signed George W. Reitzel George W. Milhon J. W. Leitzman

Approved the 7th day of March 1893
John V. Hadley Judge

State of Indiana Morgan County ss:-
I George W. Milhon Swear that I am worth over and above my indebtedness Eight thousand Dollars as I believe So help me God

George W. Milhon

Subscribed and Sworn to before me the fourth day of March 1893
R. A. Edmondson Notary Public
In and for Morgan County

State of Indiana Morgan County ss:-
I J. W. Leitzman Swear that I am worth over and above my indebtedness Thirty five Hundred Dollars as I believe: So help me God

J. W. Leitzman

Subscribed and Sworn to before me the forth day of March 1893
R. A. Edmondson Notary Public
In and for Morgan County

It is therefore ordered, adjudged and decreed by the Court that said Administrator proceed to sell at private Sale the following described Real Estate in Hendricks County in the State of Indiana to wit. A part of the North East quarter of Section Seven(7) Township Fourteen (14) North, in Range one(1) West and described as follows: Beginning at the North East corner of said Section: thence West 40 36/100 chains to the North half mile Stake of said Section: thence South 22 23 1/3/100 Chains to a Stone: thence East 40 37/100 chains to the East line of said Section Seven (7): thence North 22 28 1/3/100 chains to the place of beginning estimated to contain 91 86/100 acres more or less which has been appraised at the sum of $3.150 00/100 Also a part of the South East quarter of Section Seven (7) Township Fourteen (14) North in Range one (1) West and described as follows Beginning at the East half mile Stake of said section: thence South 15 43/100 chains to a Stone: thence West 40 40/100 chains: thence North 15 65/100 chains to the center of said Section: thence 40 38/100 chains to the place of Beginning. Estimated to contain 62 76/100 acres more or less which has been appraised at the sum of $1,668 00/100. Also a part of the North West quarter of Section Seven(7) Township Fourteen (14) North in Range one(1) West and described as follows:- Beginning at the center of Section Seven(7) Township and Range aforesaid: thence West Seven(7) chains and 73½ Links to a Stone; thence North 33 08/100 chains to a Stone: thence East 7 73½/100 chains to a Stone; thence South 33 chains to the Beginning

Estimated to contain 35 47/100 acres more or less. which has been appraised at the sum of $875 00/100
And said Administrator is ordered to give the Statutory notice of Sale and sell said Real Estate for one third cash in hand one third in six (6) months and one third in twelve (12) months from day of Sale the purchaser giving his notes for the deferred payments, Secured as provided by Statute and drawing six per cent interest from date drawing Valuation and appraisement laws: all of which is ordered by the Court
And afterwards to wit on the 1st day of May 1893 the same being the 1st day of the May Term 1893 of the Hendricks circuit court before the Hon. John V. Hadley Sole Judge thereof proceedings were had of record in said cause in words and figures following to wit:
Comes now George W. Reitzel administrator of the Estate of David Reitzel deceased and files a report of Sale herein which report of Sale is in the words and figures as follows to wit: Comes now George W. Reitzel. administrator of the Estate of David Reitzel deceased and respectfully reports to the Court that pursuant to the Orders of the court made herein at the March Term of this Court he gave notice of the time, place, terms and conditions of the Sale of the real Estate herein, for four weeks in succession by publication in the Hendricks County Republican a public weekly newspaper of general circulation printed and published in the County of Hendricks and State of Indiana, and which publication was on the 9th day of March, the 16th day of March, the 23rd day of March and the 30th day of March 1893, and by posting five printed notices in Hendricks County Indiana three of which were posted in Clay township where the real Estate sought to be Sold was situated. The affidavit of Julian D. Hogate Editor and proprietor of said newspaper, and the affidavit of the Administrator are filed herewith in proof of the notice, and are in the words and figures following to wit. Notice is hereby given that the undersigned administrator of the Estate of David Reitzel deceased by order of the Hendricks Circuit Court will on Saturday the 8th day of April 1893 on the premises sell at private Sale the following described real Estate of said decedent in Hendricks County in the State of Indiana. to wit, a part of the North East quarter of Section seven(7) Township fourteen (14) North in range (1) West and described as follows. Beginning at the North East corner of said section: thence west forty and thirty six hundredths Chains to the north half mile Stake of said section: thence

South. twenty two and seventy three and one third hundredths chains to a Stone: thence East forty and thirty seven hundredths chains to the East line of said Section seven(7): thence north 22 and seventy Eight and one third hundredths chains to the place of Beginning Estimated to contain ninety one and Eighty six hundredths acres more or less.
Also a part of the South East quarter of section seven (7) township fourteen (14) North in Range one (1) west and discribed as follows Beginning at the East half mile Stake of said Section: thence South fifteen and forty three hundredths Chains to a Stone: thence west forty and forty hundredths chains: thence north fifteen and sixty five hundredths chains to the center of that section: thence East forty and thirty Eight hundredths Chains to the place of Beginning estimated to contain Sixty two and sixty six hundredths acres more or less. Also a part of the north west quarter of section seven(7) township fourteen (14) North in Range one (1) west and discribed as follows. Beginning at the center of section seven(7) township and range aforesaid: thence west seven chains and seventy three links to a stone: thence north thirty two and Eighty Eight hundredths Chains to a Stone: thence East seven and seventy three and one half hundredths chains to a Stone thence South thirty three chains to the place of Beginning Estimated to contain twenty five and forty seven hundredths acres more or less:
Terms of Sale one third cash in hand on day of Sale one third in six months and one third in twelve months from day of Sale the purchaser giving his note for the deferred payments drawing six per cent interest from date waiving valuation and appraisement laws and secured as provided by law. Sale to continue from day to day until all is sold

George W Reitzel
Administrator

State of Indiana Hendricks County. S.S:
Personally appeared before the undersigned Julian D Hogate Editor of the Hendricks County Republican a public weekly newspaper of general circulation printed and published in Danville in the County aforesaid who being duly sworn upon his oath. saith that the notice of which the attached is a true Copy. was duly published in

said paper for four weeks successively the first of which publication was on the 9th day of March 1893 and the last on the 30th day of March 1893

Julian D Hogate

Subscribed and Sworn to before me this 1st day of April 1893
Enoch G Hogate Notary Public

State of Indiana. Hendricks County S.S:
George W. Reitzel. Administrator of the Estate of David Reitzel. deceased. being first duly sworn on his oath says that five notices. of which the annexed is a true copy. was posted in Hendricks County Indiana. three of which were posted in Clay Township the Township where said Real Estate is situate. and that all of said notices were posted on the 11th day of March 1893

G. W. Reitzel Administrator

Subscribed and Sworn to before me this day of 1893
Enoch G Hogate
Notary Public

And said Sale was set for the 8th. day of April 1893. and on said day he offered the said real Estate for sale at private sale on the premises and no one bid for the same whereupon said Sale was continued from day to day. And on the 14th. day of April 1893 William M West offered for a part of the north East quarter of section seven(7) in Township fourteen (14) north in range one (1) west and described as follows:- Beginning at the north East Corner of said section: thence west $40\frac{36}{100}$ chains to the north half mile Stake of said section; thence South $23\frac{73\frac{1}{3}}{100}$. chains to a Stone; thence east $40\frac{37}{100}$ chains to the East line of the section seven (7): thence north $22\frac{78\frac{1}{3}}{100}$ chains to the place of Beginning Estimated to Contain $91\frac{86}{100}$ acres more or less in Hendricks County Indiana the sum of $3306\frac{96}{100}$ and no person offering more and that being more than the full appraised value for the above described real estate I Sold the same to the said William M West for said Sum of $3306\frac{96}{100}$ And the said William M West paid down the sum of $1102\frac{32}{100}$ in cash. and executed his note for the residue in two equal installments at six and twelve months from the day of Sale. With Charles M. West as his security. Said Notes draw interest at the rate of six per cent. per annum from date and waiving relief from valuation and appraisement laws. whereupon the administration issued to the said William M West a certificate of purchase reciting the above facts. and providing for a deed if the Sale hereby made is approved by the Court. And on said 14th

day of April 1893 the said Administrator had offered to him for the following real Estate of said decedent:- A part of the north west quarter of section Seven (7) township fourteen (14) north in range one (1) west and described as follows:- Beginning at the center of Section Seven (7) township and range aforesaid: thence west seven (7) chains and 73½ links to a stake: thence north 32 66/100 chains to a stone: thence East 7 73/100 chains to a stone: thence South 33 chains to the Beginning Estimated to contain 25 47/100 acres more or less in Hendricks County in the State of Indiana the sum of $950.00 by David A Reitzel. and that sum being more than the full appraised value. and no one offering more the said real Estate was then and there sold to the said David A Reitzel per said sum. and the said David A Reitzel paid down the sum of $316.66 and executed his note per the balance in two equal payments at six and twelve months from date with William M West as his surety. with interest at six per cent per annum from date waiving valuation and appraisment laws. Whereupon the said Administrator issued to the said David A Reitzel a certificate of purchase reciting the above facts and providing for a deed of conveyance if the Sale so made is approved by the Court

And now he brings the money. note and notices to the Court and asks that the Sale so made and here reported may be approved by the Court

And on the first day of May 1893 one William E Leitzman offered for the following real Estate in Hendricks County in the State of Indiana to wit: A part of the South East quarter of section seven township fourteen (14) north in range one west and described as follows: Beginning at the East Half Mile Stake of said Section: thence South 15 43/100 chains to a Stone: thence west 40 50/100 chains: thence north 15 63/100 chains to the center of the section: thence 40 35/100 chains to the place of Beginning estimated to contain 63 76/100 acres more or less. the sum of $1.69 52/100 and no one offering more and that sum being more than the full appraised value I sold the same to the said William E Leitzman per said sum and the said Leitzman having a claim against the Estate of said decedent. allowed for largely in excess of his bid I placed a credit on the same for the sum of $564.84 being one third of the bid to made by him and took his note for the residue payable in two equal installments at six and twelve months from date of Sale drawing six per cent interest from date with William Glover as security.

and now the said Administrator brings the money and note into Court and asks that the Sale so made be approved by the Court and that he be authorized to make and deliver to the purchasers deeds of conveyance for the lands so purchased by each of them

George W Reitzel Administrator

Subscribed and Sworn to before me this 1st day of May 1893

Enoch G Hogate Notary Public

and at the same time the said Administrator files the proof of publication and of posting notice of the time and place of the Sale herein

And the Court being fully advised in the premises from the Examination of said report and the proof heard. does now find that said report of Sale ought be in all things approved and confirmed It is therefore ordered adjudged and decreed by the Court that said Sale so made and reported be and the same is hereby in all things approved and confirmed. and said Administrator is now ordered to make and present to the Court for approval deeds of conveyance to the purchasers for the parts of real Estate so purchased by them respectively. And now said Administrator comes and presents to the Court deeds of Conveyance as ordered by the Court and the Court having Examined said deeds and being fully advised in the premises finds that said deeds ought be approved. and now the Court approves said deeds and endorses his approval on the same in these words, Examined and approved in open Court and ordered delivered to the purchasers as evidence of their titles John D Kelley Judge. And now the Court orders the said Administrator to take from the purchasers mortgages to secure the unpaid purchase money for the real Estate so purchased. And the said Administrator comes and shows to the Court the mortgages taken by each of the said purchasers for the unpaid purchase money which mortgages are approved by the Court And now the Court orderes the said Administrator to place said mortgages of record

All of which is finally ordered adjudged and decreed by the Court

Attest David A Kelley Clerk

Be it remembered that on the 13th day of January 1891 the same being the 8th judicial day of the January Term before the Hon George W Grubbs Judge thereof the following proceedings was had of record to wit

Samuel H. Williams admr vs Rebecca Thompson et al — No 1008 Land Sale

Comes the petitioner and files his petition in words and figures following to wit

State of Indiana Hendricks County ss:-
In the Circuit Court March Term 1891

Samuel H Williams
Administrator with the
Will annexed of the Estate
of Samuel McPheeters Decd
vs
Rebecca Thompson
Eliza E Quesley
Margaret J Huber
John H McPheeters
Mary J Williams
Eliza Grant Williams
Samuel H McPheeters
Laura L McPheeters
Eva R McPheeters
Pearl McPheeters
Harvey N McPheeters
Ada McPheeters
Frank McPheeters

Petition to Sell Land

Samuel H. Williams administrator with the will annexed of the estate of Samuel McPheeters complains of the above named defendants and says that the plaintiffs decedent died testate in Hendricks County Indiana on the 4th day of December 1890 leaving the as his last will and testament to wit.

I Samuel McPheeters of Hendricks County Indiana do hereby make. declare and publish the following as my last Will and Testament to wit

Item 1st all the residue of my property real and personal

remaining after the payment of my debts. I will and bequeath to my wife Eliza McPheeters she to have. hold and enjoy all the rents issues and profits thereof during her natural life

Item 2d. I will bequeath and direct that upon the death of my said wife. or if she die before I do. then upon my death. the lands now owned by me in Hendricks County Indiana shall be divided and owned by my children and heirs in the manner and parcels following to wit: My son Thephilus McPheeters and his wife Matilda shall have jointly the South ½ of the North East quarter of Section 27 in Township 16 North of range one west subject to the life estate of Caroline Clements in twenty acres thereof they the said Thephilus and Matilda to have and to hold said land jointly and to the survivor during their natural lives and upon the death of both the same to go in fee simple to the children of my son Thephilus and the descendants of such as are dead per stirpes. My Grandson Lewis H McDaniel shall then have a tract off the North side of my home farm in Section 20 Township 16 North of range one West that shall be fifty two rods wide North and South and Extending the full length of my farm being from the East line of said Section to the west line of East ½ of the North ¼ of said section and containing a little less than 80 acres.

On account of there being more wet and west land on the same my daughter Eliza E Quesby shall have a tract immediately South of the tract bequeathed to Lewis H McDaniel that shall be fifty six rods wide and Extending the full length of Lewis H McDaniel being about 240 rods and containing a little more than 80 acres. my daughter Rebecca Julia A Thompson shall have the balance of my lands in Section 20 being a little less than 80 acres. I divide my lands in this way in order to give road frontage and timber and water to Each tract. The said Lewis McDaniel. Eliza E Quesby and Rebecca Julia A Thompson Each to have and to hold the lands hereby bequeathed them during their natural lives and upon their several death said land to descend to their several children in fee simple

Item 3rd My son Nelson H McPheeters having heretofore received from me 80 acres of land as an advancement I make to him no special bequest

Item 4th all the residue of my Estate remaining at the death of my wife I direct shall be divided Equally among

my heirs under the laws of the State without reference to advancements
Item 5th I will and direct that if Lewis W McDaniel die leaving no child in that event the land herein by item No 2 bequeathed to him shall go in fee simple to my heirs under the laws of the State of Indiana
Item 6 I appoint my son Welcome G McPheeters Executor of this my will. Said decedent als left the defendants as his heirs and only heirs at law. The wife of said Samuel W Pheeters and the devisee Lewis W McDaniel both died previous to the death of the testator the said Lewis W McDaniel leaving no child. That the personal Estate of said decedent amounts to $314.00
That no claims have been filed against said Estate but that valid claims and liabilities of said Estate amounting to about $400.00 besides expenses of administration which will amount to from one to two hundred dollars have come to the knowledge of this plaintiff. That there are no liens against the real Estate herein devised to said Lewis McDaniel which real Estate by reason of the death of said Lewis without leaving a child goes to the heirs above named by the laws of descent. That it will be necessary to sell enough of said tract of real Estate being a strip fifty two rods wide north and south off of the north East quarter and the East half of the north west quarter of section twenty (20) in Township sixteen (16) north and Range one (1) west in Hendricks County and State of Indiana to pay the debts of said Estate
Said administrator further says that on the account of the great number of heirs among which said real Estate is to be divided it cannot be divided or partitioned among said heirs without greatly depreciating the value thereof and to set off enough of said real Estate to make sufficient assets to pay the debts and liabilities of said Estate would depreciate the value of that set off for sale and also of that set off to said heirs and that said heirs that are of age have requested this petitioner to sell the whole of said tract and divide the proceeds arising from such sale and not used in the payment of said debts among said heirs as their interests may appear wherefore he prays for an order directing him to sell said real Estate on such terms as the Court may direct and for

proper orders in the premises

Samuel W. Williams

Subscribed and sworn to before me this 10th day of January 1891
James Le Clark
Notary Public

Said Petition is endorsed as follows to wit
The Clerk will issue notice and set this cause for hearing on the 9th day of March 1891 and the 7 judicial day of the March term of the Hendricks Circuit Court
J. Le Clark atty for Plaintiff

Filed Jan 13th 1891
E. G. Hogate Clerk
And now the Court orders a notice given the defendants by publication in some newspaper printed in Hendricks County of the pendency of this petition as by law provided and further proceedings are continued
And afterwards to wit on the 9th day of March 1891 the same being the 7th judicial day of the March term 1891 before the Hon John V. Hadley thereof proceedings were had of record in the foregoing cause as follows to wit

Samuel W Williams administrator of the Estate of Samuel McPheeters deceased
vs
Rebecca Thompson, Eliza E Ousby
Margaret S Huber John W McPheeters
Mary J Williams Eliza Grant Williams
Samuel McPheeters Laura Le McPheeters
Eva R McPheeters Pearl McPheeters
Harvey N McPheeters Ada McPheeters
and Frank McPheeters

Comes now the plaintiff by James Le Clark his attorney and shows to the satisfaction of the Court by proof of publication which proof is as follows to wit
State of Indiana Hendricks County s.s.
Personally appeared before the undersigned W. A. King Editor of the Hendricks County Gazette a public weekly Newspaper of general circulation printed and published in Danville in the County of oresaid who being duly sworn upon his oath saith that

the notice of which the attached is a true copy was duly published in said paper for three weeks successively the first of which publication was on the 15th day of January 1891 the second on the 22d day of January 1891 the third on the 29th day of Jan 1891 and the fourth on the day of 18

W A King

Subscribed and sworn to before me this 9th day of March 1891

Enoch G Hogate clerk

Probate Cause No 1008

Samuel W Williams administrator of the Estate of Samuel McPheeters deed vs Rebecca Thompson et al } In the circuit Court of Hendricks County Indiana January term 1891

To Rebecca Thompson Eliza E. Ousley Margaret S Huber John W McPheeters Mary J Williams Eliza Grant Williams Samuel W McPheeters Laura L McPheeters Era R McPheeters Pearl McPheeters Harvey N McPheeters Ada McPheeters Frank McPheeters you are severally hereby notified that the above named petitioner as administrator of the Estate aforesaid has filed in the circuit Court of Hendricks County Indiana a petition making you defendants thereto and praying therein for an order and decree of said Court authorizing the sale of certain real Estate belonging to the Estate of said decedent and in said petition described to make assets for the payment of the debts and liabilities of said Estate and that said petition so filed and pending is set for hearing in said Circuit Court at the Court house in Danville Indiana on the 7th Judicial day of the March term 1891 of said Court the same being the 9th day of March 1891. Witness the Clerk and seal of said Court this 13th day of January 1891 Seal. Enoch G Hogate Clerk

and by proof of posting which proof is as follows to wit State of Indiana Hendricks County ss:-

Samuel W Williams being duly sworn says he posted six copies of the annexed notice in Hendricks County Indiana five of which were posted in Center Township on the 20th day of January 1891 S. W. Williams

Subscribed and sworn to before me this 2d day of March 1891

James L Clark Notary Public

That notice of filing and pendency of this cause was duly given by publication for three successive weeks in the Hendricks County Gazett a weekly newspaper of General circulation printed and published in Hendricks County and State of Indiana the first of which publication was on the day of 1891 and by posting of five notices in Center Township in Hendricks County Indiana on the 20th day of January 1891 and all more than thirty days before the 9th day of March 1891 that being the day on which this cause was set for hearing at the time of filing the complaint by indorsement thereon signed by plaintiffs attorney and the defendants Rebecca Thompson Eliza E. Ousby Margaret S. Huber John W McPheeters Mary J Williams Eliza Grant Williams and Samuel McPheeters failing to appear and each severally three times called and come not but herein wholy make default

[illegible] And now plaintiff suggests the infancy of the defendants Laura L McPheeters Eva R McPheeters Pearl McPheeters Harvey N. McPheeters Ada McPheeters and Frank McPheeters and the Court appoints Thomas J Cofer an attorney of this bar as Guardian ad litem for said infant defendants and now said Guardian ad litem files his answer for said infant defendants which answer is in words and figures following to wit

State of Indiana Hendricks County ss:

In the Circuit Court March Term 1891

Samuel W. Williams admr vs Rebecca Thompson et al }

Thomas J Cofer Guardian ad litem for the infant defendants in the above cause for answer to the petition denies each and every material allegation in said petition but says he is not advised in the premises and asks the court to require strict proof of said allegations

Thomas J Cofer Guard ad litem

and this cause is submitted to the Court for trial finding and decree upon the default of said defendants and answer of said Guardian ad litem without the intervention of a Jury and the Court being sufficiently advised in the premises having heard all the evidence

finds the allegations of the complaint to be true that is to say. The plaintiff decedent died testate in Hendricks County and State of Indiana on the 4th day of December 1890 the owner in fee of the following real Estate in said county to wit Fifty two (52) rods off of the North side of the North East quarter and the East half of the North West quarter of Section Number twenty (20) in Township Number Sixteen (16) North and range one (1) west containing a little less than Eighty (80) acres That by the will of said Samuel McPheeters said land was devised to his Grandson Lewis McDaniel with the proviso that if said Lewis W McDaniels should die leaving no child. then said real estate should go to the heirs of said Samuel McPheeters. That said Lewis W. McDaniel died before the death of said Samuel McPheeters leaving no Child. That these defendants are the heirs and only heirs at law of said Lewis W McDaniel. That the personal Estate of said Samuel McPheeters amounts to $314.00

That there are valid claims against said Estate amounting to $400.00 besides expense of administration. That there are no liens against said real Estate. That said real Estate cannot be divided so as to sell a part thereof to make funds to pay said indebtedness without injuring the sale of the remainder. That all of the adult defendants request that all of said real Estate be sold in said partition proceedings and that all of said real Estate ought to be sold by said administrator and enough of the proceeds arising from said sale applied to the payment of debts to pay the indebtedness of said Estate and now said administrator files an appraisement of said real Estate made by William W Leachman and Stephen D Scarce two reputable freeholders of the neighborhood wherein said real Estate is appraised at Seventeen Hundred dollars said Administrator also files an additional bond in the sum of $3400.00 with

as surety which bond is approved by the court. It is ordered by the Court said Administrator after giving notice as in case of sale of real Estate at public auction proceed to sell said real Estate at private sale for not less than the appraised value for cash on day of sale or for one third cash on day of sale and one third in nine months

and one third in Eighteen months from day of sale purchaser giving note with approved security and waiving mortgage on the premises sold. If sale is not made on the day fixed by said notice the same shall be continued from day to day at same place designated in the notice until said real estate is sold

And afterwards to wit on the 23rd day of May 1893 the same being the 20th judicial day of the May Term of the Hendricks Circuit Court before the Hon John V. Hadley sole Judge thereof proceedings were had of record in the following cause to wit

Samuel W Williams Administrator
With the Will annexed of the
Estate of Samuel McPheeters deceased
vs
Rebecca Thompson et al

comes now the plaintiff in this cause and file proof of publication and posting in these words to wit.

State of Indiana Hendricks County ss:

Personally appeared before the undersigned W. A. King Editor of the Hendricks County Gazette a public weekly newspaper of general circulation printed and published in Danville in the County aforesaid who being duly sworn upon his oath saith that the notice of which the attached is a true copy was duly published in said paper for three weeks successively the first of which publication was on the 19th day of March 1891 the second on the 26th day of March 1891 the third on the 2nd day of April 1891

W. A. King

Subscribed and Sworn to before me this 31st day of August 1891
Enoch G Logan Clerk

Administrators Sale of Real Estate

Notice is hereby given that on the Thursday April 30th 1891 I will offer for sale at private sale the following real Estate in Hendricks County Indiana to wit. Fifty two rods off of the North side of the north East quarter and the East half of the North West quarter of Section 20. in Township 16 North and range one west containing a little less than 80 acres being about 3½ miles northwest of Danville said real Estate will be offered for sale

on said date on the premises and if not sold on said date sale will be continued from day to day at the law office of James Le Clark in Danville Hendricks County Indiana until sale is made. if not sold for cash deferred payments to be secured by mortgage on real Estate sold. The above real Estate belongs to the Estate of Samuel McPheeters deceased and will be sold under orders of the Hendricks Circuit Court. Terms of Sale one third Cash; one third in nine months and the balance in Eighteen months or all cash on day of sale to suit purchaser

Samuel W Williams
Administrater

And now said plaintiff files report of sale of real Estate in the words and figures following to wit

Samuel W. Williams Administrator with the will annexed of the Estate of Samuel McPheeters deceased and the plaintiff in the above entitled cause respectfully reports to the Court that in pursuance of the order of this Court made in said cause he gave notice by publication in the Hendricks County Gazette a weekly newspaper of general circulation printed and published in Hendricks County which publications were on the 19th and 26th days of March and the 2d day of April 1891. and by posting more than five printed notice in Hendricks County three of which were posted in the township where the real Estate to be sold is situated and all of which were posted more than four weeks before the day fixed as the day of sale that he would offer for sale on the premises on the 30th day of April 1891 at private sale for not less than the appraised value fifty two rods off of and across the North side of the North East quarter of Section twenty (20) in Township sixteen (16) North and range one (1) west in Hendricks County and State of Indiana as the property of the Estate of Samuel McPheeters deceased. And if sale was not made on said date that said sale would be continued at the law office of James Le Clark in Danville in said County from day to day til said real Estate was sold.

Said sale to be made on the terms and conditions set out in the order of the Court. That he offered said real Estate for sale on said date as advertised and received no bid therefor and that said sale was continued from

day to day at the law office of James Le Clark in said town of Danville as advertised until the 28th day of May 1893 when William H Rutledge offered for said real Estate the sum of eighteen hundred dollars payable one third cash one third in nine and one third in eighteen months from day of sale and that being the highest and best bid received for said real Estate and more than the appraised value said offer was accepted and said plaintiff now presents said sum of six hundred dollars the cash payment and the note of the purchaser for six hundred dollars one due in nine and one due in eighteen months with interest at six per cent. and he asks the approval of this report and said sale and an order to execute and deliver to said purchaser a deed to said real Estate and to accept from him a mortgage on said real Estate securing the payment of said two notes

Samuel W. Williams

Subscribed and sworn to before me this 28th day of May 1893

James Le Clark
Notary Public

And the Court having examined said report and being sufficiently advised in the premises approves said sale and now orders said plaintiff to execute and present for the inspection of the Court a deed conveying said real Estate to said purchaser. And now comes said plaintiff and presents for the inspection of the Court a deed duly executed conveying said real Estate to said purchaser and the Court having examined said deed approves the same and endorses his approval thereon in these words. examined and approved in open Court this 28th day of May 1893 John. D. Hadley Judge and the Court orders said deed delivered to said purchaser as an evidence of his title and said plaintiff is ordered to receive from said purchasers a mortgage on said real Estate securing the payment of said deferred purchase money notes

Attest
David Hadley Clerk

Joseph Williams Admr Estate Francis J Sharp vs Alva Sharp et al

Be it remembered that on the 3rd day of April 1893 the same being the 25th Judicial day of the March Term 1893 before the Hon John V Hadley Sole Judge thereof the following proceedings were had of record in the following cause to wit

Joseph Williams admr
vs
Alva Sharp et al } Land Sale No 1193

Comes now Joseph Williams administrator of the Estate of Francis J Sharp deceased and presents and shows to the court his petition for the sale of the real Estate of his decedent to pay debts which petition is in words and figures following to wit.

Joseph Williams administrator of the said Estate represents and shows to the court that said decedent died intestate. that the personal Estate amounted to about $35.00 That the debts of the said Estate. so far as they have come to his knowledge amount to about $210.00 showing an insufficiency of the personal Estate to pay debts of $175.00 that the decedent died the owner in fee of the following described real Estate in Hendricks County and State of Indiana to wit: part of the East half of the South East quarter of section thirty-one township fifteen north. range two west and bounded as follows to wit beginning seventeen and one half rods north of a mass of brick in the County road at the north west corner of mill lat in the town of Coatsville or West Milton; thence north nine and three fourths rods: thence East ten rods and fifteen and one half feet: thence South nine and three fourths rods: thence west ten rods and fifteen and one half feet to the place of beginning estimated to contain three quarters of an acre more or less. That the decedent left surviving her Alva Sharpe Emory E Sharp both over 21 years of age and Sharpe and Sharpe both minors That said lands are of a value less than $1000.00 and it would be to the best interest of said Estate if said sale be made at private vendue and without notice and he asks an order of sale accordingly

Joseph Williams admr

Subscribed and sworn to before me this the 11th day of March 1893

Cash C Hadley Notary Public

said administrator also presents and shows to the court the summons of the Sheriff of said County with said Sheriffs return indorsed thereon by which summons and return it appears that the defendants Emory E Sharp and Otis Sharp were duly served with the summons ten days before the day set for the hearing of endorsed on said petition which summons and return are in words and figures following to wit

The State of Indiana Hendricks County ss:

The State of Indiana to the Sheriff of Putnam County Greeting: you are hereby commanded to summon Edith Sharp to appear in the Circuit Court of Hendricks County before the Judge thereof on the 1st day of April 1893 being the 24th day of the March Term held in the Court House in Danville beginning on the first Monday of March 1893 to answer the petition of Joseph Williams admr of the Estate of Francis J Sharp decd. wherein he prays for a sale of the real Estate of said decedent to make assets to pay his debts and of this writ make due return

Witness the Clerk of said Court and the seal thereof hereunto affixed at Danville Indiana this 15th day of March 1893

David Hadley Clerk of
Hendricks Circuit Court

I served the within summons by reading to and within the hearing of the within named Edith Sharp this 22d day of March 1893

F. M. Gladewell Sheriff

Fees Mileage 2.80
Service 35
R & Dock 30
3.45

The State of Indiana Hendricks County ss:

The State of Indiana to the Sheriff of Hendricks County Greeting you are hereby commanded to summon Emory E Sharp to appear in the Circuit Court of Hendricks County before the Judge thereof on the 1st day of April 1893 being the 24th day of the March Term held in the Court House in Danville beginning on the first Monday of March 1893 to answer the petition of Joseph Williams admr of the Estate of Francis J Sharp decd. wherein he prays for a sale of the real Estate of said decedent to make assets to pay his debts. and of this writ make due return Witness the Clerk of said Court and the seal thereof hereunto affixed at Danville Indiana this 15th day of March 1893

David Hadley Clerk

Came to hand March 15th 1893 and served as commanded by reading to and within the hearing of the within named Emory E Sharp This the 20th day of March 1893

John T Taylor Sheriff

Sheriff Fees
Milage 3.00
Service .35
Return .10
$3.45

, and said Administrator further presents and shows to the Court the answer of Alva Sharpe in his own proper person praying that said land be sold which answer is in words and figures following to wit the defendant Alva Sharp for answer to plaintiff petition herein says that he is an heir of said decedent and that the matters and things alleged in said petition are true and that a sale of said real Estate ought to be made as prayed for in said petition and he asks the Court to make an order accordingly

Alva Sharp

Now said Administrator files his appraisement of said real Estate by which ~~it~~ appraisement it appears that said real Estate was duly appraised by two reputable disinterested house holders and free holders of the neighborhood wherein said real Estate is situate at the sum of $200.00 dollars which appraisement is in words and figures following to wit

State of Indiana Hendricks County.

We Noah Patrick and Samuel Oliver. Swear that we will honestly appraise the real Estate of Francis J Sharp deceased which may be exhibited to us

Noah N Patrick
Samuel Oliver

Subscribed and sworn to this 5th day of April 1893 before me

Joseph Williams admr

An Inventory of all of the real Estate of Francis J Sharp deceased and described as follows to wit: part of the East half of the South east quarter of section thirty one township fifteen north of Range two west and bounded as follows to wit: Beginning seventeen and one half rods north of a mass of brick in the County road at the north west corner of mill lot in the town of Coatsville or west milton: thence north nine and three fourths rods: thence east ten rods and fifteen and one half feet: thence south nine and three fourths rods: thence west ten rods and fifteen and one half feet to the place

of beginning: estimated to contain 3/4 acres more or less. and appraised by us at $200.00

Noah N Patrick
Samuel Oliver } appraisers

And now said Administrator files his bond in the penal sum of dollars with and two resident freeholders of said County as his sureties which bond is now by the Court approved which bond is in the words and figures following to wit: Know all men by these presents that we Joseph Williams William N Lakin and James Greenlee are bound unto The State of Indiana in the penal sum of Five Hundred dollars to pay which we jointly and severally bind ourselves our heirs executors and administrators sealed and dated the 4th day of April 1893 The conditions of the above obligation is that as the above bound Joseph Williams Administrator of the Estate of Francis J. Sharp deceased has been ordered by the Circuit Court of Hendricks County to sell all of the Real Estate of the said decedent Now if the said Joseph Williams will faithfully discharge the duties of his trust according to law then the above obligation is to be void else to remain in full force in law

Joseph Williams
W N Lakin
James Greenlee

and now said Administrator suggests to the court the infancy of defendants Edith Sharp and Otis Sharp thereupon court appoints James Le Clark a practicing attorney at the bar of said Court Guardian ad litem and now said Clark as such Guardian file his answer for said infant defendants which answer is in words and figures following to wit

State of Indiana Hendricks County S.S.

In Hendricks Circuit Court March Term 1893

Joseph Williams admr
vs
Alva Sharp et al

James Le Clark appointed by the Court Guardian ad litem for the infant defendants herein Otis Sharpe and Edith Sharp as such Guardian for answer to the petition herein denies each and every allegation therein contained.

And now said Emory E Sharp is three times loudly called but

comes not and herein wholy makes default
and now said cause comes on for hearing Trial finding Judg
ment and decreed by the court without the intervention of a
jury on the issues joined by the answer of said Guardian
ad litem and the answer of Alva Sharp and of the defendt
of Emory Sharp

And the Court after hearing the evidence and
being fully advised in the premises finds the allegations of said
petition are true that summons has been duly served on each
of said defendants ten days before the hearing of said cause
except said Alva Sharp. That the appraisment and bond
are in all respects according to law: and that Sale ought to be
made: and the Court further finds that the value of said real
Estate is less than one Thousand dollars and that it would
be for the best interest of the said Estate if said Sale be made
at private Vendue and without notice

It is therefore ordered adjudged and decreed by
the court that said administrator make Sale of said real
Estate at private Vendue and without notice for cash at not
less than its appraised value All of which is adjudged
and decreed by the Court

and afterwards to wit on the 9th day
of May 1893 the same being the 8th Judicial day of the May Term 1893
before the Hon John V Hadley Sole Judge thereof proceedings were
had of Record in the above entitled cause to wit: Comes now Joseph
Williams administrator of the Estate of Francis J Sharp deceased
and files his report of the real Estate of his said decedent to pay
debts which report is in the words and figures following to wit
Joseph Williams administrator of the Estate of Francis J Sharp
deceased reports to the Court and says that pursuant to the orders
of this Court heretofore made he proceeded to sell the real Estate of
his said decedent described as follows to wit: part of the East half of
the Southeast quarter of section (31) township (15) north of range (2)
west and bounded as follows to wit: beginning 17 and 1/2 rods
north of a cross of brick in the County road - at the Northwest corner of
Mill lot in the town of Coatsville or West Milton thence north 9 and 3/4
rods: thence East 10 rods and 15 and 1/2 feet: thence South 9 and 3/4 rods:
thence west 10 rods and 15 and 1/2 feet to place of beginning all in
Hendricks County and State of Indiana. That after diligent
effort to sell the same Eliza Daily offered the sum of $225.00

for said real Estate and that being the highest and best bid offered
and being more than the appraised price thereof and being a rea
sonable price therefor he accepted the same and said Eliza Dailey
paid down cash the said sum of $225.00 and said Administrator
brings said money into Court and asks that said Sale be appro
ved and confirmed and that he be authorized and directed to
execute his deed of conveyance to said property and bring the same
into Court for its approval and upon its approval be be directed to
deliver the same to the said purchaser as evidence of his title
Joseph Williams admr
Subscribed and sworn to before me this the 9th day of May 1893
Leander C Hadley Notary Public
And the Court after having examined said report and being fully
advised in the premises finds that said Sale was made in all res
pects in Conformity with the order of Court heretofore made and
entered and that said Sale ought to be confirmed and approved

It is therefore ordered decreed and adjudged by the Court
that said Sale be and is in all things approved and confirmed and
said administrator is authorized and directed to execute his deed of convey
ance to said real Estate and bring the same into Court for its appro
val and upon its approval that he deliver the same to said purchaser.
all of which is ordered and decreed by the Court,

And now comes said administrator and presents to the
Court his deed of conveyance of said real Estate to the said Eliza Daily in
consideration of the said sum of $225.00 in hand paid and the Court
after having examined the same approves the same in open court and
his approval is written thereon as follows Approved in Open Court
this the 9th day of May 1893 and said administrator is authorized
and directed to deliver said deed to said purchaser as evid
ence of her title. all of which is ordered and adjudged by
the Court

Attest David Hadley
Clerk

Guardianship of Oscar G Hatchett & Mary E Hatchett

Be it remembered that on the 5th day of December 1898 the same being the 26th Judicial day of the November Term 189 before the Hon J.W. Hadley Sole Judge thereof the following proceedings were had of record in the following cause to wit

Oscar G. Hatchett and Mary E Hatchett minors } Land Sale

Comes now James G Miles Guardian of Oscar G and Mary E Hatchett minors and files his petition for the sale of the real estate belonging to said minors which petition is in the words and figures following to wit. James G Miles Guardian of the estates of Oscar G and Mary E Hatchett minor heirs of James Ballard deceased by appointment of the Hendricks circuit court respectfully represents and shows to the court: that the whole amount of the personal estate of said minors that has come to the knowledge of said Guardian only amounts to about the sum of $8.00 this being rents for 1893. that said wards are the owners each of a one fifth interest in fee simple of the following described real estate in said county of Hendricks and State of Indiana to wit: a part of the W 1/2 of the NW 1/4 of Section 5 township 16 North: Range 2 East as follows: Beginning at the S.E. corner of said W 1/2 quarter Thence West 11 chains and 77 links to a stone: Thence north 13 chains and 96 2/3 links to a stone: Thence East 11 chains and 85 2/3 links to a stone: Thence South 13 chains 8 1/3 links to the place of beginning estimated to contain 16 111/160 acres more or less. Which said tract of land was set apart in partition to said minors and Lilly or Emerich Sarah E. Hatchett and James E Hatchett the brothers and sister of said minors all of whome held said land as tenants in common. That the co-tenants of said minors have contracted for a sale of their interest in said land and have now conveyed the same as he is informed and that this Guardian can now realize for the interests of said minors therein the full value thereof: That the land is only a very small tract partly wooded and partly cultivated and cannot be rented to any great advantage to said minors without great outlay of money in fencing and much expense in procuring tenants: That the timber on said land is principally Elm and of no value on the market: That the annual rental value of the interest of said wards in said real estate would not exceed five or six dollars and out of that would have to be paid the expenses of renting and collecting rents: That he can loan the proceeds of the sale of said real estate for more that the rented

value of said estate. That he knows of no indebtedness against his wards. That Oscar G. Hatchett is now about 20 yrs of age and Mary E about 14 years of age That said wards reside in Missouri Oscar G working out and providing for himself and Mary E living with her father who provides for her. That he believes it to be to the best interest of his wards to sell said real estate and loan the money at interest until they become of age. unless they should sooner have a Guardian appointed in Missouri authorized to receive said moneys. That said real estate is of a value of about $230.00 wherefore he asks that said real estate be sold at private sale for not less that the appraised value for each in hand without notice

James G Miles Guardian

Sworn to and subscribed before me December 1st 1898

D.W. Hadley clerk

And the court having examined said petition and being satisfied that it is to the interest of said minors to sell their interest described in the petition as therein prayed for. appoints John H Buxton and George A. Nash two resident freeholders residing in the vicinity of said real estate. to appraise said real estate. and they now come and file the certificate of their appointment and oath. and the report of their appraisement showing therein that they appraised said real estate in the sum of Two hundred and thirty dollars and now said Guardian files his bond for the sale of said real estate in the sum of $800.00 with James P Batterson and Francis M. Ballard as sureties thereon which Bond is approved by the court and the approval endorsed thereon. said bond reads as follows Know all men by these presents. That we James G Miles James P Batterson and F M. Ballard. are bound unto the State of Indiana in the penal sum of Five hundred dollars to pay which we jointly and severally bind ourselves our heirs executors and administrators seal and dated this 5th day of December 1893. The conditions of the above obligation is That as the above bound James G Miles Guardian of Oscar G Hatchett and Mary E Hatchett minor heirs of James Ballard deceased has been ordered by the circuit court of Hendricks County to sell real estate of said wards. Now if the said James G Miles will faithfully discharge the duties of his trust according to law then the above obligation is to be void else to remain in full force in law

James G Miles
James P Batterson
F M Ballard

Approved the 5th day of December 1893

John W Hadley Judge

It is therefore ordered adjudged and decreed by the court that said Guardian sell said real estate at private sale without notice for not less than the full appraised value thereof for cash in hand and

report the Sale to this court for approval and now comes said Guardian and reports to the court the sale of the land described in said petition to Francis M Ballard at private sale for two hundred and forty dollars cash in hand that being more than the appraised value thereof and the highest and best bid therefor

and the court having examined said report and being satisfied that said sale was made in all respects in conformity to the order of Sale herein and in conformity to law approves said report and confirms said Sale

It is therefor ordered by the court that said James H. Miller as such Guardian make out acknowledge and report to the Court for approval a deed conveying said real estate to said Francis M Ballard. and now said Guardian reports to the court for approval a deed executed and acknowledged by him as above directed and which is examined and approved by the court and it ordered to be delivered to said purchaser as evidence of his title to said real estate

John Cosner Deceased

Be it remembered that on the 14th day of November 1893 the following Petition was filed in the office of the clerk of the Hendricks circuit court to wit

State of Indiana Hendricks County ss.

In the Circuit Court November Term 1893

Leander S Cosner
Administrator of the
estate of John Cosner
deceased
vs
Alfred M Cosner
Miranda J Hadlenton
Sarah C Arnold
Mary E Morrison
Leander S Cosner
Maggie M Cosner
Lafayette Cosner

The petitioner herein. Administrator of the Estate of John Cosner deceased. respectfully shows the court that this decedent died intestate on the 31st day of January 1893 leaving a personal Estate as shown by the Inventory on file of four hundred and seventy two dollars ($472) That there is a claim filed and pending against said Estate for the sum of twenty one hundred and thirty seven dollars ($2137) which claim the Administrator informs the Court will be dismissed as he was informed by the Claimant. He says that there are other claims against the estate but not filed. amounting to five hundred and twenty eight dollars and sixteen cents ($528.16). That he lacks the sum of one hundred and twenty three dollars ($123.00) of sufficient funds to pay said claims. and that the expences of the Administrator including the court costs. Attorneys fees and of the Administrator will amount to at least one hundred and fifty dollars ($150). showing an insufficiency to pay the debts against said Estate of three hundred and. Twenty five dollars ($325.00) at least. He also shows that said decedent was the owner of the following described real estate (together with other real estate) in Hendricks County in the State of Indiana to wit: Part West half South West quarter Section 36 Township 14 North in Range 2 East described as follows: Beginning 32 rods West of the South East corner of the West half of the South West quarter of said Section 36: thence West to the West line of said Section: thence North 16⅔ rods: thence East to within 32 rods of the East line of said half quarter: thence South to the place of beginning except one half

acre heretofore deeded for a Schoolhouse in the South West corner of said tract The land hereby described containing nineteen and one half (19½) acres more or less which real estate is of the probable value of twenty five dollars ($25.00) per acre. He also shows that there are no liens against said real Estate that appears and remain unsatisfied of record. He also says that the defendants are the children. Sons and daughters of the decedent and are all residents of Hendricks County in the State of Indiana except Miranda J Huddleston. who is a resident of East Penn. Wherefore the petitioner prays the Court to order the Sale of the above described real estate to make assets to pay the debts of said decedent. and that he will order said Sale at a private sale without notice. and your petitioner will ever pray

Leander S Cosner

Subscribed and sworn to this 16th day of November 1893

John T Bell Notary Public

The Clerk will issue a non resident notice for Miranda J Huddleston and a Summons to the Sheriff of Hendricks County for all the others defendants returnable on January 8th 1894 being the 7th day of January Term 1894 Hogate & Clark Atty per Admr.

And afterwards to wit on the 15th day of January 1894 the same being the 13th judicial day of the January Term 1894 before the Hon John V Hadley sole Judge thereof the following proceedings were had of record in the above entitled cause to wit. Comes now the administrator herein by Hogate and Clark his attorneys and shows to the court the writ of summons issued herein to the Sheriff of Hendricks County together with the return of that officer endorsed thereon from which Summons and return it appears that said summons had been duly served on the defendants. Alfred Cosner Sarah C Arnold Mary E Harrison Leander S Cosner Maggie M Cosner and Lafayette Cosner at least ten days before the 8th day of January 1894 on which day by an indorsement in writing on the petition herein the hearing thereof was set. Said Summons and return is in the words and figures as follows:-

The State of Indiana Hendricks County ss:

The State of Indiana to the Sheriff of Hendricks County Greeting. You are hereby Commanded to Summon Alfred Cosner Sarah C Arnold Mary E Morrison Leander S Cosner. Maggie M Cosner and Lafayette Cosner. to appear in the circuit Court of Hendricks County before the Judge thereof on the 8th day of January 1894 being the 7 day of the January Term held

in the Court House in Danville beginning on the first Monday of January 1894 to answer the petition of Leander S Cosner Administrator of the Estate of John Cosner deceased wherein he prays for a sale of the Real Estate of said decedent to make assets to pay his debts and of this writ make due return

Witness the Clerk of said Court and the Seal thereof hereunto affixed at Danville Indiana this 14th day of November 1893

David Hadley Clerk of Hendricks circuit court

Came to hand November 14th 1893 and served as commanded by reading to and within the hearing of the within named Alfred Cosner Sarah C Arnold Mary E Morrison Leander S Cosner Maggie M Cosner and Lafayette Cosner

This the 15th day of December 1893

John T Taylor Sheriff

And now the said administrator file the affidavit of Julian D Hogate editor of the Hendricks County Republican a public weekly newspaper of general circulation from which affidavit it appears that a notice of the pendency of the petition herein had been given to Miranda J Huddleston in said newspaper for three weeks thirty days before the said 8th day of January 1894 the first of which publication was on the 16th day of November 1893 and the last on the 30th day of November 1893 said affidavit is in the words and figures as follows:-

State of Indiana Hendricks County ss:

Personally appeared before the undersigned Julian D Hogate editor of the Hendricks County Republican a public weekly newspaper of general circulation printed and published in Danville in the County aforesaid who being duly sworn upon his oath said that the notice of which the attached is a true copy was duly published in said newspaper for three weeks successively the first of which publication was on the 16th day of November 1893 and the last on the 30th day of November 1893.

Julian D Hogate

Subscribed and sworn to before me this 5th day of December 1893

David Hadley clerk

Notice of petition to Sell Real Estate

Probate Cause No 1523.

Leander S Cosner administrator of the Estate of John Cosner deceased vs Alfred Cosner Miranda J Huddleston et al In the Circuit Court of Hendricks County Indiana January Term 1894

To Miranda J Huddleston

You are hereby notified that the above named petitioner as administrator of the Estate aforesaid has filed in the circuit court of Hendricks County Indiana a petition. making you defendant thereto

and praying therein for an order and decree of said Court authorizing the sale of certain real Estate belonging to the Estate of said decedent and in said petition described to make assets for the payment of the debts and liabilities of said Estate. and that said petition so filed and pending is set for hearing in said circuit court at the Court House in Danville Indiana on the 7th judicial day of the January Term 1894 of said Court the same being the eighth day of January 1894

Witness the Clerk and Seal of said Court this 14th day of November 1893 (seal) David Hadley Clerk

And the said Alfred M Cosner Miranda J. Huddleston Sarah C. Arnold. Mary E Morrison Leander S Cosner Maggie M Cosner and Lafayette Cosner failing to appear and answer the petition herein they are each three times loudly called but come not and herein wholly make default.

And now this cause comes on to be heard by the court without the intervention of a jury and after hearing the evidence and inspecting the proof the court doth say and find that John Cosner died intestate in the County of Hendricks in the State of Indiana on the 31st day of January 1893 leaving a personal Estate to be administered of the value of $472.00 that there are claims filed against said Estate in the sum of $2137.00 and claims against said Estate not filed amounting to the sum of $528.16 that the cost of administration including attorneys fees will amount to about the sum of $150.00 and that there is an insufficiency of personalty to pay the debts of said decedent and pay the expense of administration. The court also finds that the decedent died the owner of the real Estate described in the petition that the same is of the probable value of $25.00 per acre and ought to be sold to pay the debts of the said decedent

The Court also finds that the defendants are the sons and daughters of the decedent. and are the heirs at law and the only heirs of the said John Cosner deceased

And now the said administrator files an inventory and appraisement of the real Estate described in the petition from which it appears that the same was appraised by J. D. Pratt and Edgar Simmons two reputable householders and freeholders of the neighborhood of said real Estate at the sum of $526.50 said appraisment is in the words and figures as follows

State of Indiana. Hendricks County.

We J. D. Pratt and Edgar Simmons. Swear that

we will honestly appraise the Real Estate of John Cosner deceased which may be exhibited to us

J. D. Pratt
Edgar Simmons

Subscribed and sworn to this 1st day of January 1894 before me
John T Bell
Notary Public

An Inventory of a part of the Real Estate of John Cosner deceased and described as follows to wit:

Part of the west half of the South west quarter of section twenty six (26) township fourteen (14) North in range two (2) west and described as follows:- Beginning 32 rods west of the South East corner of the west half of the south west quarter of said section 26: thence west to the west line of said section: thence north 66⅔ rods: thence east to within 32 rods of the East line of said half quarter: thence south to the place of beginning except one half acre heretofore deeded for a School house in the south west corner of said tract. The land herein described containing 19½ acres more or less

We appraise the above described Real estate at twenty seven dollars pr acre amounting in the aggregate to five hundred and twenty six dollars and fifty cents $526.50

and appraised by us at $526.50

J. D. Pratt } appraisers
Edgar Simmons }

Said administrator also files a bond in the penal sum of $1200.00 with C. C. Whicker as his surety conditioned for the faithful performance by the said administrator of his duties in and about the said sail which bond reads as follows. Know all men by these presents that we Leander S Cosner and C. C. Whicker are bound unto the State of Indiana in the penal sum of Twelve hundred ($1200.00) dollars to pay which we jointly and severally bind ourselves our heirs executors and administrators

Sealed and dated the 2nd day of January 1894

The conditions of the above obligation is that as the above bound Leander S Cosner Administrator of the Estate of John Cosner deceased has been ordered by the Circuit Court of Hendricks County to sell a part of the Real Estate of the said John Cosner deceased Now if the said Leander S Cosner will faithfully discharge the duties of his trust according to law then the above obligation is to be void else to remain in full force

L. S. Cosner (seal)
C. C. Whicker (seal)

Approved the 2nd day of January 1894
John V. Hadley Judge
Circuit Court Hendricks County

State of Indiana Hendricks County ss:
I. C. C. Wicker Swear that I am worth over and above my indebtedness Eight Thousand dollars as I believe so Help me God
C. C. Wicker
Subscribed and Sworn to before me the 2nd day of January 1894.
John T. Bell Notary Public

Said bond is approved by the court
It is therefor ordered Adjudged and decreed by the court that the said administrator proceed to sell at private sale or thout notice the time place terms or condition of sale the following real estate in Hendricks County in the State of Indiana to wit Part of the west half of the South west quarter of section twenty six (26) township fourteen (14) north in range two (2) west and described as follows Beginning 33 rods west of the South East Corner of the west half of the South west quarter of said section 26: thence west to the west line of said section: thence north sixty six and two thirds 66⅔ rods thence east to within 33 rods of the East line of said half quarter thence South to the place of beginning except one half acre heretofore deeded for a School House in the South west corner of said tract The land herein described containing ninety and one half acres (19½) more or less. And the said administrator is ordered to sell the same for one third cash in hand on the day of sale one third in six months and the balance in twelve months from the day of sale.
And afterwards to wit on the 27th day of January 1894 the same being the 24th Judicial day of the January term 1894 before the Hon John V. Hadley Judge thereof the following proceedings over had of record in the above Entitled cause to wit

Comes now the petitioner herein and file his report of the sale of real Estate which report is in words and figures following to wit:- Comes now the petitioner herein and reports to the court that pursuant to the order of this court made in this cause he offered per sale at private sale without notice for one third cash one third in six and one third in twelve months the following described real estate in Hendricks County and State of Indiana to wit:- Part of the west half of the south west quarter of section twenty six (26) in township fourteen

(14) North and range two (2) west and described as follows: Beginning thirty two (32) rods west of the South East corner of the west half of the south west quarter of said section 26. Thence west to the west line of said section: Thence north sixty six and two thirds (66⅔) rods: Thence East to within thirty two (32) rods of the East line of said half quarter: Thence south to the place of beginning excepting one half acre heretofore deeded for a schoolhouse in the south west corner of said tract and containing in said tract less said Exception 19½ acres. And on the 26th day of January 1894 William H Appleby offered for said real estate the sum of Six hundred and eighty two dollars and fifty cents in cash and that being the highest and best offer received for said real Estate and more than the appraised value thereof said real Estate was sold to said William H Appleby for said sum, and said petitioner now produces said money in Court and asks the Court to approve said sale and so modify the order of the Court heretofore made as to permit this petitioner to receive all of said purchase money at this time
Leander S Bosner Admr
Subscribed and sworn to before me this 27th day of January 1894
James Le Blackburn Notary Public

And the Court having examined said report and being fully advised in the premises finds that said report ought to be approved and said sale confirmed and the order of sale so modified as to permit said administrator to sell said real Estate for cash.
It is therefore ordered and decreed by the court that the sale of said real estate and the report of said sale as above set out be and the same are hereby approved by this court

And now the Court orders said Administrator to execute and bring into court for the Courts inspection a deed conveying said real estate to said purchaser.

And now comes said administrator and presents to the Court for inspection a deed duly acknowledged conveying said real estate as above described to said purchaser William H. Appleby. and the Court having examined said deed approves the same and endorses his approval thereon in these words "Examined and approved in open Court this 27th day of January 1894 John V. Hadley Judge." and said Administrator is now by the Court to deliver said deed to said purchaser as an evidence of his title

Barton C Symmonds

Be it remembered that on the 8th day of January 1894 the same being the 7th judicial day of the January Term 1894 before the Hon John D Hadley Sole Judge thereof the following proceedings were had of record in the following cause to wit

William Symmond admr of the
Estate of Barton C Symmonds deceased
vs } Land Sale No 1331
Rena Symmonds
John Symmonds and
Barton Lem Symmonds

Comes now William Symmonds administrator of the Estate of Barton Symmonds deceased by Miles and Miles his attorney and presents his petition for the Sale of the real estate left by said decedent which petition is in the words following to wit William Symmonds respectfully represents and shows to the Court that he is the administrator of the Estate of Barton C Symmonds deceased who departed this life on the 22nd day of November 1892, intestate leaving a Widow Rena Symmonds and three infant Children to Wit William Le Symmonds John R Symmonds and Barton Lem Symmonds him surviving as his only heirs at law That at the time of his death said Barton C Symmonds was the owner in fee simple of the following described real Estate situate in the County of Hendricks and State of Indiana to wit: a part of the South East quarter of Section Eleven (11) in Township Sixteen (16) North of Range one (1) East commencing one hundred and forty rods (140) East of the North West corner of said quarter Section and running thence West five rods (5) thence South Eighteen and one half degrees (18½°) West to the line of the Ohio Indiana and Western Railway right of way: thence East along said railroad right of way thirty one rods (31) and seven feet (7): thence North to the place of beginning containing eight (8) acres be the same more or less. and being within the corporate limits of the town of Brownsburg. That said real Estate is of the probable value of four hundred $400.00 dollars of which said widow owns an undivided one third part. That the personal estate of said decedent which has come to the knowledge and possession of said administrator is of the appraised value of $1190.67 of which the widow took at the appraisement the sum of $117.00. That no claims have been

filed or allowed against said Estate but he knows of valid claims against said Estate amounting in the aggregate to about the sum of including the balance due the widow of the $300.00 allowed her by law and he further says that there is a tax lien against said real Estate of about $5.00 wherefore said petitioner asks the Court to grant an order and decree for the sale of said real Estate to make assets for the payment of indebtedness of said Estate on such terms as to credit as the Court may deem to the best interests of said Estate and said real Estate being worth less than $1000.00 he asks that said sale may be made at private sale without notice

William Symmonds

Subscribed and sworn to before me this 26th day of December 1893
David Hadley clerk

Filed December 26th 1893
David Hadley clerk

The Clerk will issue Summons herein returnable on the 8th day of January 1894 the same being the 7th Judicial day of the January Term 1894 and set this cause for trial on said day Miles and Miles attorneys for admr

And said petitioner shows to the Court the Summons issued herein and the Sheriffs return indorsed thereon from which it appears that all of said defendants were duly served with said Summons by the Sheriff of this County on the 26th day of December 1893 more than ten days prior to the 8th day of January 1894 being the day fixed for the return of said Summons by indorsement made on said petition at the time of the filing thereof said Summons and return are as follows to wit:

The State of Indiana Hendricks County ss
The State of Indiana to the Sheriff of Hendricks County Greeting

You are hereby commanded to Summon Rena Symmonds William Le Symmonds John R Symmonds and Barton Lem Symmonds to appear in the Circuit Court of Hendricks County before the Judge thereof on the 8th day of January 1894 being the 7th day of the January Term thereof in the Court House in Danville being on the first Monday of January 1894 to answer the petition of William Symmonds administrator of the Estate of Barton C Symmonds wherein he prays for a sale of the real Estate of said decedent to make assets to pay his debts and of this writ make due return

Witness the Clerk of said Court and the Seal thereof hereunto affixed at Danville Indiana this 26 day of December 1893

David Hadley clerk of
Hendricks Circuit Court

came to hand December 26th 1893 and served as commanded by reading to and within the hearing of the within named Rena Symmonds John R Symmonds Barton Leon Symmonds and served William L Symmonds by leaving a true copy of the within summons at his last and usual place of residence. This the 27th day of December 1893

John T Taylor Sheriff

And now the petitioner suggests to the Court the infancy of said defendants William L Symmonds John R Symmonds and Barton Leon Symmonds and the court appoints R T Hollowell an attorney of this court Guardian ad litem for said Infants and he files his answer as such in the words and figures as follows to wit. The undersigned Guardian ad litem of the infant defendants William L Symmonds John R Symmonds and Barton Leon Symmonds for answer to the plaintiffs petition herein denies each and every material allegation therein contained prejudicial to the interests of said minors R T Hollowell

Guardian ad litem

And on motion of petitioner said defendant Rena Symmonds is now three times called in open Court but comes not and herein wholly makes default Thereupon this cause is submitted to the Court for trial and having heard the evidence the Court finds that the allegations of the petition are true and that it is necessary to sell the real Estate described in the petition to make assets for the payment of the indebtedness against said Estate. And now said Administrator presents to the Court for approval his bond for the sale of real Estate in the penalty of $500.00 with W J W Coffman and W. A Hamilton as his sureties which bond is approved by the Court and is as follows to wit: Know all men by these presents That we William Symmonds W J W Coffman and William A Hamilton are bound unto the State of Indiana in the penal sum of Five Hundred Dollars to pay which we jointly and severally bind ourselves our heirs executors and administrators

Sealed and dated the 30th day of December 1893.

The condition of the above obligation is That as the above bound William Symmonds Administrator of the Estate of Barton L Symmonds deceased has been ordered by the Circuit Court of Hendricks County to sell an undivided 2/3 of all Real Estate of the said Barton L Symmonds deceased. Now if the said William Symmonds will faithfully discharge the duties of his trust according to law then the above obligation is to be void else to remain in full force in law

Wm Symmonds
Wm J W Coffman
W A Hamilton

Approved the 8th day of January 1894

John D Hadley Judge

State of Indiana Hendricks County ss:
I W J W Coffman swear that I am worth over and above my indebtedness Three Thousand Dollars as I believe so help me God

W J W Coffman

Subscribed and sworn to before me the 30th day of December 1893

Joseph M Doll Notary Public

State of Indiana Hendricks County ss:
I William A Hamilton swear that I am worth one and above my indebtedness Three Thousand dollars as I believe so help me God

W A Hamilton

Subscribed and sworn to before me the 30th day of December 1893

Joseph M Doll Notary Public

It is therefore ordered adjudged and decreed by the Court that the Administrator sell said real Estate to wit: an undivided two thirds of a part of the South East quarter of Section eleven (11) in Township six teen (16) North of Range one (1) East commencing one hundred and forty (140) rods east of the North West corner of said quarter Section and running thence West four rods (4): thence South eighteen and one half (18½) degrees West to the line of the Ohio Indiana and western Railway right of way: thence East along said rail road right of way thirty one rods (31) and seven (7) feet: thence North to the place of beginning containing eight (8) acres be the same more or less and being within the Corporate limits of the town of Brownsburg Hendricks County Indiana at private sale without notice for cash in hand for the best price he can obtain therefor and report his proceedings herein to this Court.

And now said Administrator files his appraisement of said real Estate in the sum of $315.00 which appraisement is in the words and figures following to wit:

State of Indiana Hendricks County

We Wm J W Coffman and W. A. Ellis swear that we will honestly appraise the Real Estate of Barton L Symmonds deceased which may be exhibited to us

Wm J W Coffman

William A Ellis

Subscribed and sworn to this 30th day of December 1893 before me

Joseph M Doll Notary Public

An Inventory of an undivided 2/3 of all of the Real Estate of Barton C Symmons deceased and described as follows to wit: a part of the South East quarter of section Eleven (11) in Township sixteen (16) North of Range one (1) East containing one hundred and forty (140) rods East of the north west corner of said quarter section: and running thence west five (5) rods: thence South eighteen and one half (18½) degrees west to the line of the Ohio Indiana and Western Railway right of way: thence East along said rail road right of way thirty one (31) rods and seven (7) feet: thence north to the place of beginning containing eight (8) acres be the same more or less and being within the corporate limits of the town of Brownsburg: and appraised by us at $215.00

Wm J Wm Coffman } appraisers
William A Ellis }

And said administrator make and files his report of sale herein as follows to wit: The undersigned administrator of the Estate of Barton C Symmonds deceased the petitioner herein reports to the Court that in pursuance to the order of sale entered herein he did on the 8th day of January 1894 sell said Real Estate to wit: an undivided two thirds interest in a part of the south east quarter of section eleven (11) township sixteen (16) North range one (1) east commencing 140 rods east of the north west corner of said quarter section thence west (5) rods thence south 18½ degrees west to the line of the Ohio Indiana and western railway right of way thence east along said right of way (31) rods and seven feet: thence north to the place of beginning containing 8 acres more or less being within the corporate limits of the town of Brownsburg Hendricks County Indiana: at private sale without notice to John Tarpy for the sum of 266 66⅔/100 that being more than the appraised value thereof and the highest and best price he could obtain therefor. for cash in hand. the money to be paid on the delivery of the deed. Wherefore he asks the Court to confirm said sale and to make an order that he should execute a deed of conveyance to said John Tarpy to be delivered to him on the payment of said sum of 266 66⅔/100

Wm Symmons admr

Subscribed and sworn to before me this 8th day of January 1894
Ethan A Miles Notary Public

and the Court having examined said report confirms said sale

and orders said administrator to make out and report to this court for approval his deed of conveyance to said purchaser for said real estate

And now said administrator reports to the court for approval his deed of conveyance to said purchaser for said real estate as herein ordered which deed is examined and approved by the court and the approval endorsed thereon. And it is now ordered that said administrator deliver to said purchaser said deed as evidence of his title to said real estate on the payment of the purchase money therefor

In the Matter of the Estate of Patrick Kinney deceased.

Be it remembered that on the 6th day of June 1894 a petition for the sale of real estate was filed in the office of the Clerk of the Hendricks Circuit Court, which petition is in the words and figures following to wit,—

State of Indiana Hendricks County.
In the Hendricks Circuit Court
September Term A. D. 1894.
John Kinney, as Administrator of the Estate of Patrick Kinney, deceased, the petitioner.
vs
Thomas Kinney, Ann Kinney, Hiram Brown, Thomas Caverly, and Isabella Davis, the defendants.
Petition of Administrator for sale of Real Estate.

John Kinney, the above named petitioner, states and represents to the Court, that Patrick Kinney, his decedent, died in the month of June in the year 1890, intestate, leaving as his only legal heirs, his widow, Catharine Kinney, and their six children born to them of their marriage to each other, namely; Margaret Kinney, Patrick Kinney, Thomas Kinney, Mary Kinney, Delia Kinney and Ann Kinney.

That the said decedent at the time of his death, was the owner in fee simple, but incumbered with the Mortgage liens hereinafter mentioned, of the following described Real Estate situated in Hendricks County, State of Indiana, to-wit,- The north west quarter of the south east quarter of section twenty-four (24) in township sixteen (16) north and range one (1) east containing forty (40) acres more or less.

That since the death of his said decedent to-wit, in the month of October in the year 1891, said Catharine Kinney, widow, died intestate not having married again, owning all the right, title and interest, which she inherited as such widow, in said real estate, and leaving as her only legal heirs, her said six children and that since the death of said Catharine Kinney, widow, two of her said six children namely; said Margaret Kinney and Patrick Kinney, died intestate neither having ever been married, and both being minors at the time of their death, owning all the right, title and interest which they had inherited in said real estate, and leaving as their only legal heirs, their said brother Thomas Kinney and Sisters Mary Kinney, Delia Kinney and Ann Kinney, all of whom, respectively, own all the right, title and interest which they have heretofore inherited in said real estate, and all being minors and defendants in this proceedings.

That said real estate is of the probable value of three hundred dollars, exclusive of the two Mortgage liens hereinafter mentioned to wit;- A mortgage dated May 22d 1889 executed by said Patrick Kinney, the petitioners decedent and said Catherine Kinney his wife, to defendant Hiram Brown and by him duly assigned to defendant Isabella Davis.- said Hiram Brown being made a defendant in this proceeding that he may assert any right or interest as such assignor— to secure a loan of seven hundred dollars payable May 1st 1894 with interest thereon at the rate of seven per cent per annum, evidenced by one principal note for seven hundred dollars payable May 1st 1894 and five interest bearing coupon notes, the two first maturing, having been paid; the three not matured, are each for forty nine dollars and will mature respectively, May 1st 1892, 1893 and 1894, said principal note and interest, notes not matured call for interest at the rate of eight per cent per annum after maturity, and are payable without relief from valuation or appraisement laws, said mortgage and assignment thereof are duly of record in Mortgage record No 23, at page 42 and on, of the Recorders Office of Hendricks County, State of Indiana. And a mortgage dated June 8d, 1889 executed by said Patrick Kinney, the petitioners decedent, and said Catharine Kinney, his wife, to defendant Thomas Caverly to secure the payment of one promissory note for one hundred and six dollars, with interest at eight percent from date, payable five years after date thereof, said mortgage is duly of record in Mortgage record No 23, at page 426 of the Recorders Office of Hendricks County, State of Indiana. Said two mortgage liens (exclusive of accrued interest thereon) aggregate eight hundred and six dollars.

That debts of his said decedent consisting of accounts and notes other than said notes secured by said mortgages, have come to his knowledge, aggregating $370.00.

That the personal estate of his said decedent consists of money amounting to $126 86/100 and suits to mature November 1st 1894, amounting to $125.00.

No claims have been filed against said estate.

That as near as he can estimate the same, the debts of his said decedent exclusive of interest accrued but not paid will amount to $92 17/100.

That by reason of the facts above stated, it will be necessary to sell said real estate, to furnish assetts to pay the general indebtedness of said estate.

Wherefore this petitioner asks the Court to order and decree the sale of said real estate, either, subject to said two Mortgage liens, or to first pay and discharge the same, as the Court may determine to be the better way, to furnish assetts to pay the general indebtedness of said estate, and he verifies this petition with his oath.

John Garvey.

Subscribed and sworn to on this, June 6th 1891, before the undersigned clerk of said Court.

Enoch G. Hogate, Clerk.

And afterwards to wit, on the 28th day of September 1891 the same being the 21st day of the September Term 1891 of the Hendricks Circuit Court, before the Hon. John V. Hadley, sole Judge thereof, proceedings were had of record of said cause in said court in the words and figures following to wit:-

Comes now John Garvey the above named petitioner in person and with Charles Foley his attorney, and shows to the court the original summons issued in this cause for defendants herein to the Sheriff of Hendricks County, State of Indiana, and the return of said sheriff, in writing endorsed thereon, all being in these words to wit:-

The State of Indiana, Hendricks County ss:-

The State of Indiana, to the Sheriff of Hendricks County - Greeting:

You are hereby commanded to summon, Thomas Kinney, Mary Kinney, Delia Kinney, Ann Kinney, and Thomas Casserly to appear in the Circuit Court of Hendricks County, before the Judge thereof on the 7th day of September 1891, being the 2nd day of the September Term, held in the Court House in Danville, beginning on the first Monday of September 1891, to answer the petition of John Garvey, as administrator of the Estate of Patrick Kinney, deceased, wherein he prays for sale of the Real Estate of said decedent to make assets to pay his debts, and of this writ make due return

Witness, the Clerk of said Court, and the seal thereof hereunto affixed at Danville, Indiana, this 20th day of July 1891.

Enoch G. Hogate.
Clerk of Hendricks Circuit Court.

Served as commanded by reading to and within the hearing of the within named Thomas Kinney, Mary Kinney, Delia Kinney, Ann Kinney and Thomas Casserly.

Served this the 24th day of July 1891

S. E. Clements
S. H. C.

by which it appears to the Court and the court decides that defendants Thomas Kinney, Mary Kinney, Delia Kinney, Ann Kinney and Thomas Casserly, were each duly notified of the pendency of the petition in this cause and of the time and place of hearing the same, personally, more than ten days before the first day of the present term of this court and on the suggestion of the infancy of said Thomas Kinney, Mary Kinney, Delia Kinney and Ann Kinney the court appoints George C. Harry a competent attorney of this court Guardian Ad litem of said infant defendants, and therefor said Guardian Ad litem in behalf of said infant defendants come and file an answer to the petition in this cause in these words to wit:-

George C Harry as Guardian Ad litem for Thomas Kinney, Mary Kinney, Delia Kinney and Ann Kinney infant defendants in the above entitled cause for an answer to the petition in said cause in behalf of said infant defendants, denies each and every material allegation therein contained.

Geo. C. Harry, Guard ad litem.

and the other defendants Hiram Brown and Isabella Davis, by Buell & Harry their attorneys come and file their joint answer to the petition in this cause in these words to wit,-

Defendants, Hiram Brown and Isabella Davis for an answer to the petition herein admits that the averments contained in said petition relating to them are true and they consent that the court order and decree sale the real estate mentioned in said petition, subject however to the mortgage mentioned in said petition in their favor. And the defendant Hiram Brown disclaims any interest in

said mortgage.

Brill & Harry
Attys for defendants
Hiram Brone & Isabella Davis

and thereupon defendant Thomas Casserly by L. C. Barnett, his attorney, comes and files his answer to the petition in this cause in these words to wit;-

Comes now defendant, Thomas Casserly and for answer to plaintiff petition says that he holds a mortgage on said estate described therein, as set out in said petition and that he consents that said real estate be ordered sold, subject to his said mortgage if the court should think best.

L. C. Barnett
Atty for dft. Casserly.

and thereupon said petitioner file and show to the court for examination an inventory and appraisement of the real estate of the decedent of said petitioner, hereinafter particularly described, and ordered and decreed to be sold, said real estate being appraised by Thomas Feeney and Michael Moran, two reputable householders and freeholders of Hendricks County, State of Indiana and of the neighborhood of said real estate, at eleven hundred dollars which is by the Court examined and found to be in due form and is in the words and figures as follows towit;-

State of Indiana, Hendricks County.

We, Thomas Feeny and Michael Moran sworn that we will honestly appraise the real estate of Patrick Kinney, deceased, which may be exhibited to us.

Thos his X mark Feeny
Michael his X mark Moran } Appraisers.

Subscribed and sworn to, this 28th day of September 1891 before me.

Enoch G. Hoyle, Clerk.

An inventory of the real estate of Patrick Kinney deceased, and described as follows, to wit;-

The north west quarter of the south east quarter of section twenty four (24) in township sixteen (16) north and range one (1) east, containing forty (40) acres more or less and appraised by us at $1100.00, eleven hundred dollars.

Thomas his X mark Feeney
Michael his X mark Moran } Appraisers.

And thereupon this cause is by said petitioner and by said Guardian Ad litem acting in behalf of said infant defendants and by said Hiram Brown and Isabella Davis by their said attorneys Brill and Harry and by said Thomas Casserly by his said attorney L. C. Barnett submitted to the court for trial finding, judgment and decree without the intervention of a jury and the Court having heard and sufficiently considered the evidence produced and being fully advised, finds and decides that Patrick Kinney the decedent of said petitioner died in the month of June in the year 1891 a resident and citizen of Hendricks County, State of Indiana, intestate and owning in Fee Simple, but incumbered with the mortgage liens herein after mentioned, the following described real estate situated in Hendricks County, State of Indiana, to wit;-

The northwest quarter of the south east quarter of section twenty four (24) in township sixteen (16) north and range one (1) east containing forty (40) acres more or less.

That on May 22d 1889 the decedent of the petitioner and his wife executed to defendant Hiram Brone a mortgage on said real estate which is assigned to defendant Isabella Davis the holder of the same to secure a loan of seven hundred dollars with interest thereon at seven percent per annum, evidenced by one principal note for seven hundred dollars payable May 1st 1894 and five interest bearing coupon notes, the two first maturing having been paid; the three not matured are each for forty nine dollars and will mature, respectively May 1st 1892, 1893 & 1894, all waiving valuation and appraisement laws, recorded in Mortgage Record No 23 at page 412 of the Recorders Office of Hendricks County State of Indiana, and a mortgage dated June 3d 1889, executed by the decedent of the petitioner and his wife to defendant Thomas Casserly to secure the payment of a promissory note for one hundred and six dollars with interest from date at eight percent, five years after date, duly recorded in Mortgage Record No 23, at page 426 in the Recorders Office of said county.

That said infant defendants Thomas Kinney, Mary Kinney, Delia Kinney and Ann Kinney, are children and all of the heirs now living of said Patrick Kinney, deceased, the petitioner decedent

and as such they own said real estate in fee simple as tenants in common subject to said two mortgage liens and the liability of the same to be sold to furnish assets for the estate of said deceased.

That the debts of said deceased, other than said two mortgage liens are so much in excess of the personal estate of said deceased, that it is necessary to sell all of said Real Estate to furnish assets to pay the same. That said real estate would sell better at private sale, subject to said two mortgage liens. And the court finds generally that all the material allegations contained in the petition in this cause are true.

And thereupon the petitioner in this cause file and presents to the court for approval a bond in the penal sum of twenty five hundred dollars, more than double the appraised value of said real estate with Michael Moran and Thomas Feeny as sureties thereon conditioned for the faithful discharge of his duties according to law, in the sale of said real estate and the court having examined said Bond finds it sufficient in all particulars and approves the same and indorses such approval in writing thereon, all being in the words and figures following to-wit:-

Know all men by these presents: That we, John Garry, Thomas Feeney and Michael Moran are bound unto the State of Indiana, in the penal sum of Thirty five hundred dollars, to pay which we jointly, and severally bind ourselves, our heirs, executors and administrators.

Sealed and dated, the 28th day of September 1891.

The condition of the above obligation is, that the above bound John Garry as administrator of the estate of Patrick Kinney deceased, has been ordered by the Circuit Court of Hendricks County, to sell real estate of Patrick Kinney, deceased.

Now, if the said John Garry will faithfully discharge the duties of his trust according to law, then the above obligation is to be void, else, to remain in full force in law.

Thomas his mark Feeney
Michael his mark Moran.

Approved the 28th day of September 1891.
John V. Hadley Judge of the
Circuit Court Hendricks County
Indiana

State of Indiana, Hendricks County ss:
I, Michael Moran swear that I am worth, over and above my indebtedness, Seven thousand dollars, as I believe, so help me God.
Michael his mark Moran

Subscribed and sworn to before me, the 28th day of September 1891
Enoch G. Hogate, Clerk
Circuit Court Hendricks County.

State of Indiana, Hendricks County ss:
I, Thomas Feeney swear that I am worth, over and above my indebtedness Five thousand dollars, as I believe so help me God.
Thomas his mark Feeney

Subscribed and sworn to before me, the 28th day of September 1891
Enoch G Hogate Clerk
Circuit Court Hendricks County.

Thereupon it is by the Court, on the forgoing finding, and the admissions in the answers filed, ordered, adjudged and decreed, that said administrator proceed to sell all of said real estate at private sale subject to said two mortgage liens taking the bond of the purchaser therefor with sufficient penalty and surety conditioned for the payment and discharge of said two mortgage liens holding said administrator and all others interested in said estate harmless from all damages by reason of said mortgage liens and the claims secured thereby, such sale to be for not less than the full appraised value of said real estate all cash down after deducting the amount of said two mortgage liens, said Administrator first giving four weeks public notice of the time place and terms of sale in some public newspaper of general circulation of said county and by posting printed notices thereof in not less than ten public places in said county not less than five of which shall be in the civil township (Lincoln) in which said real estate is situated.

And afterwards to-wit: on the 29th day of September 1893 the same being the 23rd day of the September Term 1893 of the Hendricks Circuit Court, before the Hon. John V. Hadley, sole judge thereof, proceedings were had of record of said cause in said Court in the words and figures following to-wit:-

Came now John Garvy, the petitioner in this proceeding, with Charles Foley, his attorney, and the infant defendants by George C. Harry, their guardian ad litem, and defendants Hiram Brown, and Issabella Davis, and Thomas Casserly, by their respective attorneys; came also, and thereupon said petitioner files and shows to the court his report in writing, duly verified with his oath, showing a sale of the real estate, heretofore ordered and decreed in this proceeding to be sold, in words and figures as follows to-wit:-

State of Indiana, Hendricks County
In the Hendricks Circuit Court
September Term A. D. 1893.

John Garvy as Administrator of the Estate of Patrick Kinney, deceased, the petitioner
vs
Thomas Kinney, Mary Kinney, Delia Kinney, Ann Kinney Hiram Brown, Thomas Casserly and Issabella Davis the defendants.

I, John Garvy as Administrator of the Estate of Patrick Kinney, deceased, the petitioner in the above entitled proceeding hereby report to the Court that pursuant to the order and decree of the Court heretofore made in this proceeding to sell the following described real estate situated in Hendricks County, State of Indiana to wit; The north west quarter of the south east quarter of section twenty four (24) in township sixteen (16) north and range one (1) east containing forty acres more or less.

That I first gave four weeks public notice of the time place and terms of sale of said real estate by publication for four weeks successively in the Bromsburg Record a public weekly newspaper of general circulation printed and published in the town of Bromsburg, in Hendricks County, State of Indiana, the first of which publication was on the eighteenth day of October A. D. 1891, and the last on the fifth day of November A. D. 1891, and by posting up printed notices thereof in ten public places in said County, four of which were in the civil township (Lincoln) in which said real estate is situated. I file herewith as a part of this report, marked "Exhibit A," the affidavit of W. C. Bruce, printer and publisher of said newspaper and my own affidavit showing said publication and notices posted up and the date thereof. I further report that on Wednesday November 15th A. D. 1891, I

exposed said real estate for sale, at private sale, at the Law office of Charles Foley, in the town of Danville, in said county and State, and continuously thereafter until September 4th A. D. 1893, when I sold said real estate to Clarkson J. Stout, subject to the two Mortgage liens thereon, hereinafter more particularly described, and which two liens said Clarkson J. Stout, the said purchaser, assumes and agrees to pay, for the sum of twelve hundred dollars, all to be paid cash down after deducting the sums, principal and interest accrued and unpaid to September 4th A. D. 1893 of the said two Mortgage liens which were heretofore determined and found in this proceeding to be on said real estate, to-wit,- There is to be deducted for the lien in favor of defendant Issabella Davis the sum of $716.66⅔ and there is to be deducted for the lien in favor of defendant Thomas Casserly, the sum of $142.34, together aggregating the sum total of $858.70⅔ leaving the sum of $341.29⅓ which was paid me cash down.

The sum for which I sold said real estate was greater than the appraised value thereof. I had no higher or better offer thereof and see no prospect of getting any.

I account for said sum of $341.29⅓ paid me, as follows; I paid clerk costs in this proceeding $ and the residue thereof I take as assetts of the estate of my said decedent. I verify this report with my oath.

John Garvy

Subscribed and sworn to me this September 29th 1893.
Ward Hadley, Clerk

And the court having examined said report finds and decides that notice of the time place and terms of sale of said real estate was first duly given as heretofore ordered by the court in this proceeding, by publication and posting up printed notices thereof, and that on Wednesday November 15th A. D. 1891, said real estate was duly exposed to sale at private sale at the Law office of Charles Foley, in the town of Danville, Hendricks County, State of Indiana, and continuously thereafter until September 4th A. D. 1893, when said petitioner sold said Real Estate, to Clarkson J. Stout subject to the two Mortgage liens thereon, hereinafter more particularly described, and which liens said Clarkson J. Stout, the said purchaser assumes and

agree to pay, for the sum of twelve hundred dollars all to be paid cash down after deducting the sums, principal, and interest unpaid and accrued to September 4th A.D. 1893, of the said two mortgage liens which were heretofor determined and found in this cause to be on said Real Estate, to-wit, To the lien in favor of defendant Isabella Hare, the sum of $716.66⅔ and for the lien in favor of defendant Thomas Caverly the sum of $142.84 together amounting to the sum total of $858.70⅔, leaving the sum of $341.29⅓ which is now all paid cash down; the sum for which said Real Estate sold being more than the appraised value thereof. And the Court having examined said report as well as considered the evidence produced in behalf of it, and being sufficiently advised, finds and decides that said sale of said Real Estate was made in all particulars pursuant to the order and decree of this court heretofor made in this proceeding and there appearing to be no prospect of getting any higher or better price for said real estate and no reason appearing why said sale should not be approved and confirmed and no objection being made thereto therefore, said sale of said real estate is by the court in all particulars approved and confirmed, and the court orders and directs John Garvey, the petitioner in this proceeding to make, sign and acknowledge and present to the Court for approval a good and sufficient deed of conveyance, conveying said real estate to Clarkson J. Stout the aforesaid purchaser said real estate being situated in Hendricks County, State of Indiana and particularly described as follows, to-wit: The northwest quarter of the Southeast quarter of section twenty four (24) in township, sixteen (16) north and range one (1) east containing forty acres more or less.

And thereupon said John Garvey as administrator of the estate of Elrick Kinney, deceased, the petitioner in this proceeding presents to the Court for approval a deed of conveyance properly signed and acknowledged by him, conveying said said real estate to said Clarkson J. Stout, the aforsaid purchaser, and the court having examined said deed, and finding it to be in due form and sufficient, approves the same and endorses such approval in writing thereon, and orders its delivery to said Clarkson J. Stout, the aforsaid purchaser, which is accordingly done in open Court and all of which is approved by the Court.

Said petitioner shows in his said report that of the sum of $341.29⅓ paid to him, cash down, as aforsaid, he has paid him cash down

as aforsaid, he has paid the Clerk costs in this cause, amounting to $ and the residue thereof he takes as assets of the estate of his said decedent, all of which is approved by the Court.

Attest. David Hadley Clerk.

In the Matter of the Estate of Eli B. Hodson.

Be it remembered that on the 18th day of November 1891 the same being the 13th day of the November Term 1891, of the Hendricks Circuit Court, proceedings were had in the words and figures following to-wit:-

Comes now William Hunt administrator of said estate and shows to the Court the petition filed herein, and the endorsement on the back of said petition whereby it appears that process issued on said petition for the defendants and was made returnable on the 14th day of October 1891.

State of Indiana Hendricks County, ss:
In Hendricks Circuit Court
September Term 1891.

(Entries furnished by Cofer & Hadley).

William Hunt, Administrator of the estate of Eli B. Hodson deceased
vs
Senilda Hodson, George Hodson and Ida Hodson
} Land Sale

William Hunt, administrator of the estate of Eli B. Hodson, deceased, shows to said Court that said decedent died intestate, that the personal estate of said decedent amounts to about $50.00 that the debts of the said estate so far as has come to petitioners knowledge amount to about the sum of $550.00, showing an insufficiency of said personal estate to pay the debts of said estate of the sum of $500.00. That the said decedent died the owner in fee simple of the following described real estate in the said County and state to-wit: Beginning at the south-east corner of the west half of the north-east quarter of section thirty five, township fifteen, north of range 2 west, thence west forty rods; thence north twenty (20) rods; thence east forty rods thence south twenty (20) rods to place of beginning. Also a part of the said west half of said quartle section. Beginning at the north east corner of said west half of said quarter section; thence west forty rods; thence south twenty rods; thence east forty rods; thence north twenty rods to the place of beginning. That said decedant left surviving him Senilda Hodson, his widow, who is the owner of one undivided third in said real estate, and George Hodson aged 16 and Ida Hodson aged 11, his children, and heirs, that said real estate is of the probable value of $600.00. And he asks for an order of sale to pay the

said debts of the said decedent.

William Hunt
Administrator.

Subscribed and affirmed to before me this the 23d day of September 1891.

Cressie C. Hadley
Notary Public

The Clerk will issue summons to Senilda Hodson of Marion Co, George Hodson of Parke Co and Ida Hodson of Hendricks County defendants in the within cause and make the same returnable on the 14th day of October 1891.

Cofer & Hadley
Attorneys.

The Clerk will issue summons to the within named defendant George Hodson and make the same returnable on the 14th day of November 1891.

Cofer & Hadley.

when said cause was set down for issue and trial. He also shows to the Court the summons issued in said cause and the endorsements of the Sheriff thereon

The State of Indiana, Hendricks County ss:-
The State of Indiana, to the Sheriff of Marion County - Greeting.
You are hereby commanded to summon Senilda Hodson (an insane asylum) to appear in the Circuit Court of Hendricks County before the Judge thereof, on the 10th day of October 1891, being the 30th day of September Term, held in the Court House in Danville, beginning on the first Monday of September 1891, to answer the petition of William Hunt, Administrator of the estate of Eli B. Hodson deceased wherein he prays for a sale of the real estate of said decedent to make assets to pay his debts and of this writ make due return.
Witness, the Clerk of said Court, and the seal thereof hereunto affixed at Danville, Indiana, this 25th day of September 1891.

Enoch G. Hogate
Clerk of Hendricks Circuit Court.

Came to hand September 26th 1891 and same day served Senilda Hodson

by reading to and within her hearing and delivering a copy of this writ to Dr. Charles E. Wright, Superintendant of Central Indiana Hospital for the treatment of Insane, he having said Sarilda Hodson in charge and control.

Henry B. Langsenburg.
Sheriff, Vigo Co.

State of Indiana, Hendricks County, ss:
The State of Indiana, to the Sheriff of Parke County, Greeting,

You are hereby commanded to summon Geoge Hodson to appear in the Circuit Court of Hendricks County, before the Judge thereof, on the 10 day of October 1891, being the 38 day of the September Term, held in the Court House in Danville, beginning on the first Monday of September 1891, to answer the petition of William Hunt Administrator of the estate of Eli B. Hodson, deceased, wherein he prays for a sale of the Real Estate of said decedent to make assets to pay his debts, and of this writ make due return.

Witness, the Clerk of said Court, and the seal thereof hereunto affixed at Danville, Indiana, this 25 day of September 1891.

Enoch G. Hogate.
Clerk of Hendricks Circuit Court.

October 1st 1891.
George Hodson not found in my bailiwick.
G. S. Jones
Sheriff Parke County.

The State of Indiana, Hendricks County, ss:
The State of Indiana, to the Sheriff of Hendricks County, Greeting

You are hereby commanded to summon Ida Hodson to appear in the Circuit Court of Hendricks County, before the Judge thereof, on the 10th day of October 1891, being the 30th day of the September Term, held in the Court House in Danville, beginning on the first Monday of September 1891, to answer the petition of William Hunt, administrator of the estate of Eli B. Hodson, deceased, wherein he prays for a sale of the real estate of said decedent to make assets to pay his debts, and of this writ make due return.

Witness the Clerk of said Court, and the seal thereof hereunto affixed at Danville, Indiana, this 25th day of September 1891

Enoch G. Hogate
Clerk of Hendricks Circuit Court

Served as commanded by reading to and within the hearing of the within named Ida Hobson.
This the 28th day of Sept 1891.
H. E. Clements
S. H. C.

The State of Indiana, Hendricks County ss:
The State of Indiana, to the Sheriff of Hendricks County
Greeting:

You are hereby commanded to summon George Hodson to appear in the Circuit Court of Hendricks County, before the Judge thereof on the 4th day of November 1891, being the 12 days of the November Term, held in the Court House in Danville, beginning on the first Monday of November 1891, to answer the complaint of Wm. Hunt Administrator Estate of Eli B Hodson dec'd and of this writ make due return.

Witness, the Clerk of said Court, and the seal thereof hereunto affixed at Danville, Indiana, this 2 day of November 1891.

Enoch G. Hogate
Clerk of Hendricks Circuit Court.

Served as commanded by reading to and within the hearing of the within named George Hodson
This the 3rd day of November 1891.
H. E. Clements
S. H. C.

whereby it appears said defendants and each of them was served with process more than ten days before said cause was made returnable and set down upon the docket for issue.

And now the said administrator suggests to the court that the defendant Sarilda Hodson is a person of unsound mind and the Administrator is her guardian. Whereupon the Court appoints James L. Clark committee to answer for said insane person, and now said committee comes and files an answer as follows.

Comes now James L. Clark, committee appointed by the Court to defend for Zerilda Hodson, a person of unsound mind, and denies each and every material allegation contained in the petition herein and asks the Court to require strict proof thereof

James L. Clark
Committee.

And said administrator also suggests to the Court the infancy of George Hodson and Ida Hodson, and the Court appoints James L. Clark, guardian ad litem for said infants. And now said guardian ad litem comes and files his answer as follows to-wit:-

James L. Clark guardian ad litem for Ida Hodson and George Hodson infant defendants herein and denies each and every allegation contained in plaintiffs herein and asks the court to require strict proof thereof

Jas. L. Clark
Guardian ad litem

Said administrator shows to the Court the appraisement of said real estate described in said petition made by E. H. Hodson and Nathan Master two competent persons to appraise said real estate which appraisement show they appraised said real estate, track number one at $133.33⅓ and track number two at $300.00 appraising the whole of said real estate at the sum of $433.33⅓. And said Administrator now files his bond payable to the State of Indiana in the penal sum of $1300.00 with Dudley H. Hodson as his surety, binding themselves for the faithful performance of the trust assumed by the said William Hunt as to the sale of said real estate. And said cause comes on for trial without the intervention of a jury and the court having considered said petition and heard the evidence adduced in support of the same says and finds that the allegations of said petition are true and that said real estate ought to be sold to satisfy the indebtedness of said estate.

It is therefor ordered, adjudged and decreed by the Court that said administrator proceed to sell said real estate to-wit; the undivided one third of the following described real estate; Beginning at the south-east corner of the west half of the north-east quarter of section 35, township 15 north range 2 west in Hendricks County, and State of Indiana; thence west 40 rods; thence north 20 rods; thence east 40 rods; thence south 20 rods to the place of beginning said tract being appraised at $133.33. Also a part of the west half of said quarter section, beginning at the north east corner of said west half of said quarter section; thence west 40 rods; thence south 20 rods; thence east 40 rods; thence north 20 rods to the place of beginning, which tract of land was appraised at $300.00 said real estate all being appraised at less than $500. either in seperate parcels or all together, as he may deem best at private sale without giving notice of said sale, said sale to be for not less than the appraised value thereof and for one half cash in hand and the other half in six months from date of sale.

And afterwards to-wit on the 7th day of March 1892 the same being the 1st day of the March Term 1892 of the Hendricks Circuit Court, before the Hon. John V. Hadley, sole Judge thereof proceedings were had, of record of said cause in said Court in the words and figures following to-wit:-

Comes now William Hunt administrator of said estate and presents and files his report of the sale of the Real estate therein described, which report is in the words and following to-wit:-

State of Indiana, Hendricks County
Circuit Court March Term 1892

In the matter of the estate of Eli B. Hodson deceased.

Comes now William Hunt, Administrator of the said estate of and reports to the court that pursuant to the order made in this cause he has made diligent effort to sell the real estate mentioned in said order at private sale without notice, having made inquiry of divers persons and notified them that he had said real estate for sale. That on the 24th day of February 1892 one Joel H. Hodson offered for the tract or parcel of land which is first described in said order to-wit: The undivided two thirds of the following lands to-wit:-

Beginning at the south east corner of the west half of the north east quarter of section thirty five township fifteen north range two west in Hendricks County and State of Indiana, thence west forty rods, thence north twenty rods thence east forty rods, thence south twenty rods to the place of beginning, the same being appraised at $133.00 the sum of $177.00 and that being more than the full appraised value of said real estate and the highest and best bid he has been

able to obtain for the same he sold said real estate above described to the said Joel H. Hodson for said sum of $1147.00, and said Joel Hodson has offered to pay down the full amount of said purchase price of said real estate, said administrator asks that he be allowed to accept the full amount of said purchase money and he asks the Court to confirm said sale and for an order to execute a deed to said purchaser and that the cause be continued for the sale of the other land described in said order.

William Hunt.

Subscribed and sworn to before me this 1st day of March 1892.

Cassius C. Hadley,
Notary Public

The Court after examining said report and hearing proof of the matters therein contained and being fully advised in the premises says and finds that said sale was made in all respects in accordance with said order; that the same ought to be confirmed.

It is therefore ordered, adjudged and decreed by the Court that said sale be and the same is hereby in all things confirmed, and said administrator is hereby ordered and directed to execute to and bring into court for approval a good and sufficient deed conveying said real estate to said purchaser.

And now comes said William Hunt Administrator of the estate of Eli B. Hodson, deceased, and brings and presents in open court for the approval of the Court a deed executed by him as Administrator of said estate, conveying the land therein described to the purchaser Joel Hodson which deed is examined by the Court and found to be correct and is approved by the Court and his approval thereon written in these words. "Approved in open Court this 7th day of March 1892.

John L. Hadley, Judge."

hereby directed to deliver said deed to said purchaser as his evidence of title to said land.

And the same day proceedings were had in the matter of the Guardianship of Serilda Hodson, insane, in the words and figures following to wit:-

Comes now William Hunt, Guardian of Serilda Hodson, a person of unsound mind and presents and files his application for an order to sell a portion of the lands of his said ward, which application is in the words and figures following to-wit:-

William Hunt, guardian of Serilda Hodson a person of unsound mind represents and shows to the Court that his said ward is the owner in fee simple of the undivided one third (⅓) of the following described tract of land in Hendricks County and State of Indiana, to-wit:-

Beginning at the south east corner of the west half of the north east quarter of section thirty five (35) township fifteen (15) north range two (2) west; thence west forty (40) rods thence south twenty (20) rods to the place of beginning.

That said guardian as Administrator of the estate of Eli B. Hodson deceased has negotiated the sale of the remaining two thirds of said tract to pay the debts of said estate; and the said interest of his said ward will suffer great and unavoidable loss if not sold at the same time as the other portion of said estate; that said interest of his ward is not worth to exceed seventy (70) dollars; that his said ward is a widow with two children aged 12 and 17 years respectively; that his said ward is in poor health and has no other property except a one third interest in another tract of land containing about five (5) acres upon which she lives, and she had contracted debts before his appointment as guardian amounting to about Four Hundred dollars ($400.00). That his said ward had a small amount of personal property consisting of household and kitchen furniture amounting to about $60.00 which personal property was left at the home of said ward and used by her and her family; that there is due her from her husbands estate the sum of $850.00 that she has no other property coming to her dependant on the settlement of any estate or the operation of any trust; that said real estate would rent for not to exceed five dollars annually; that he has received grain to the amount of five dollars for the rent of said real estate; that said grain was consumed entirely by his said ward and her family; that his ward is in need of the money to be derived from the sale of said real estate; that it would be for the best interest of his ward if said sale be made, and that the same be made at private sale without notice.

Wherefore he asks that he be authorized and directed to make sale of said real estate at private sale without notice, at not less than the appraised price thereof.

William Hunt.

Subscribed and affirmed to before me this 7th day of March 1892

Cassius C. Hadley,
Notary Public

And the Court having examined said application and being fully advised in the premisses finds that the facts therein set out are true and that the said land of said ward ought to be sold; that it would be to the interest of said ward if the same be sold at private sale without notice at not less than the appraised price thereof for cash in hand. And now the Court appoints Jonathan S. Marshall and John H. Bundy two disinterested free holders of said county to make appraisement of said real estate.

And now comes said William Hunt guardian as aforsaid and returns the commission issued to the appraisers herein and files the appraisement of Jonathan S. Marshall and John A. Bundy, appraisers duly appointed by the Court herein by which appraisement it appears that said real estate was appraised at the sum of fifty dollars. Said commission and appraisement being in the words and figures following to-wit:-

State of Indiana, Hendricks County, ss:-

I, Enoch G. Hogate Clerk of the Circuit Court of said County, certify that Jonathan S. Marshal and John H. Bundy, of said County, have been appointed by said Court, appraisers of the following real estate, to-wit,- an undivided one third of a tract of land described as follows, Beginning at the southeast corner of the west half of the northeast quarter of section thirty five township fifteen north of range two west; thence west forty rods; thence north twenty rods; thence east forty rods; thence south twenty rods to the place of beginning, in Hendricks County and State aforsaid, part of the real estate of Eli B. Hodson, deceased, and they are to report their appraisement at the present term thereof.

In Witness whereof, I have hereunto set my hand, the 7th day of March 1892.

Enoch G. Hogate, Clerk.

State of Indiana, Hendricks County, ss:

Personally appeared before me, Enoch G. Hogate, Clerk of the Circuit Court of said County, Jonathan S. Marshall and John H. Bundy the above named Appraisers and were sworn truly and impartially to appraise the property in the above certificate mentioned.

Signed

Jonathan S. Marshall
John H. Bundy.

Subscribed and sworn to before me, this 7th day of March, 1892.

Enoch G. Hogate Clerk.

The undersigned, appointed to appraise the following real estate to-wit,- the undivided one third of a tract of land described as follows:- beginning at the southeast corner of the west half of the northeast quarter of section thirty-five township fifteen north of range two west; thence west forty rods; thence north twenty rods; thence east forty rods; thence south twenty rods to the place of beginning the property of Eli B. Hodson deceased, of Hendricks County and State of Indiana, having been duly sworn, report that after due examination of the premises, we are of opinion that said real estate is worth fifty dollars

Jonathan S. Marshall
John H. Bundy

March 7. 1892.

And now comes William Hunt, guardian, as aforsaid and files his bond in said cause in the penal sum of One hundred dollars conditioned upon the faithful performance of his duties herein, with Thomas J. Cofer as his surety, which bond is thereupon approved by the Court and reads as follows to-wit:-

Know all Men by these presents, That we, William Hunt and Thomas J. Cofer are bound unto the State of Indiana, in the penal sum of One hundred dollars, to pay which, we jointly and severally bind ourselves, our heirs, executors and administrators.

Sealed and dated the seventh day of March 1892.

The Condition of the above obligation is, that as the above bound William Hunt, Guardian of Senida Hodson a person of unsound mind, has been ordered by the Circuit Court of Hendricks County, to sell part of the real estate of Senida Hodson:

Now if the said William Hunt will faithfully discharge the duties of his trust, according to law, then the above obligation is to be void, else to remain in full force in law.

William Hunt.
Thomas J. Cofer.

Approved the 7th day of March 1892.

John V. Hadley, Judge,
Circuit Court of Hendricks County.

And it is therefore adjudged and decreed by the Court that said Guardian make sale of said real estate at private sale, without notice, at not less than the appraised price thereof for cash in hand, and that he report his proceedings to this court.

And now comes said guardian and presents and files his report of the sale of said real estate, said report being in the words and figures following to-wit;-

Hilliard Hunt, guardian of the estate of Jerilda Hodson a person of unsound mind, represents and shows to the Court, that pursuant to the of this court herein before made he offered for sale a portion of his wards real estate in Hendricks County and State of Indiana to-wit;- An undivided one third part of the tract of land described as follows to-wit; Beginning at the south east corner of the west half of the north east quarter of section thirty five (35), township fifteen (15) north of range two (2) west, thence west forty rods, thence north twenty rods; thence east forty rods; thence south twenty rods to the place of beginning; that Jonathan S. Marshall and John H. Bundy two disinterested freeholders appointed by the Court, appraised said land at fifty dollars. And said guardian says that Jos Hodson bid therefor the sum of seventy three & 8/100 dollars, and that being the highest and best bid received for the same, and being more than the appraised price thereof and being a fair price thereof, he accepted said offers, and thereupon said Jos Hodson paid down in cash the said sum of seventy three & 8/100 dollars. And he brings said money into Court and asks that said sale be confirmed and that he be authorized and directed to execute his guardian's to said land to said purchaser.

Hilliard Hunt.

Subscribed and sworn to before me this the 7th day of March 1892.

Clarence C. Hadley

Notary Public.

And the Court after examining said report and being fully advised in the premises, finds that said land was sold for more than the appraised price, that the same was made in all respects according to law and ought in all things to be confirmed.

It is therefor ordered, adjudged and decreed by the Court that the said sale is hereby in all things confirmed and said guardian is hereby authorized to execute his guardians deed to said land to said purchaser, and bring the same into court for the Courts approval.

And now comes Hilliard Hunt guardian as aforesaid and brings into court his said deed for said real estate, for the Courts approval. And the Court having examined said deed, approves the same and his approval is written thereon as follows;- "Approved in open Court, this 7th day of March 1892.

John V. Hadley, Judge."

And said guardian is authorized and directed to deliver said deed to said purchaser as evidence of his title.

All of which is ordered, adjudged, and decreed by the Court.

And afterwards to wit on the 30th day of November 1893 the same being the 15th day of the November Term 1893 of the Hendricks Circuit Court, before the Hon. John V. Hadley, sole Judge thereof, proceedings were had of record of said cause in said Court, in the words and figures following to-wit;-

Comes now Hilliard Hunt, administrator of said estate and shows to the court that pursuant to an order heretofor made in said cause directing him to sell the land belonging to said estate at private sale with giving notice of said sale said land being worth less than one thousand dollars, he made diligent effort to sell the real estate described in said order which had not already been sold, and that after making every effort to sell the same he was offered the sum of three hundred dollars for said real estate by Jerilda Hodson and that being the full appraised value of said real estate and the best and only bid he has had for the same he sold the said real estate to the said Jerilda Hodson for the said sum of three hundred dollars, and he herewith makes and files his report of said sale.

Comes now Hilliard Hunt, administrator of the estate of said deceased and reports to the court, that pursuant to the order heretofore made in this case authorizing said administrator to sell the land of said decedent at private sale without notice, he made diligent effort to make sale of said real estate and the best and only bid which he has received therefor was three hundred dollars bid by Jerilda Hodson widow of said Eli B. Hodson, deceased, and that being the full appraised value of said real estate he sold the same to said, an undivided two thirds of a part of the west half the north west quarter of section thirty five (35) township fifteen (15) north range two west in Hendricks County and State of Indiana beginning at the north east corner of said west half of said quarter section, thence west forty rods,

thence south twenty rods, thence east forty rods thence north twenty rods to the place of beginning containing five acres more or less; to the said Jerilda Hodson for the sum of $350.00 and the money all being due her on her $500.00 as widow of said Eli B. Hodson she took her receipt for that amount on said $500.00 and he asks the Court that said order be so modified as to allow him to make said sale for cash in hand as he has done, and he asks said sale be confirmed and that he be authorized to execute to the said purchaser a deed for said real estate, all of which he respectfully asks.

William Hunt.

Subscribed and affirmed to before me this 20th day of November 1893.

Cash C. Hadley
Notary Public.

And asks the Court to confirm the same. And the court after having examined said report and hearing the evidence and being fully advised in the premises says and finds that said sale was made in all respects agreable to said order except that all the purchase money was paid down when the order provides only half should be paid down and the remainder in six months from date of sale and said order is hereby modified so as to conform to the terms of said sale in regard to the payment of said purchase money and the court further finds that said sale was for the full appraised price of said real estate and was a fair price for the same and that said sale ought to be confirmed and that said purchaser having paid the full amount of the purchase price of said real estate she is entitled to a deed as an evidence of her title.

It is therefor ordered adjudged and decreed by the court that said sale to Jerilda Hodson of the following described real estate to-wit,- an undivided two thirds of a part of the west half of the north west quarter of section thirty five (35) township fifteen (15) north range two west in Hendricks County and State of Indiana beginning at the north east corner of said west half of said quarter section thence west forty rods thence south twenty rods thence east forty rods thence north twenty rods to the place of beginning containing five acres more or less, be and the same is hereby in all things confirmed and approved by the Court, and said administrator is hereby ordered to execute to the said Jerilda Hodson a deed for said real estate and to bring the same into court for the approval of the Court.

And now comes said administrator and brings into Court a deed duly executed by him conveying said real estate to the purchaser Jerilda Hodson and the court having examined said deed and finding the same to be correct approves the same and writes his approval thereon in these words "Examined and approved in open court this 20th day of November 1893.

John V. Hadley Judge.

And said administrator is ordered to deliver said deed to said purchaser as evidence of her title to said real estate.

All of which is ordered, adjudge and decreed by the Court.

Attest. David Hadley
Clerk

In the Matter of the Estate of Miranda Moore deceased.

Be it remembered that on the 14th day of June 1892 in the Hendricks Circuit Court, before the Hon. John V. Hadley, sole Judge thereof, proceedings were had of record in the words and figures following to-wit:-

Comes the Administrator by L. A. Barnett his attorney and files a petition to sell certain real estate of which decedent died seized. Said petition reads as follows:-

State of Indiana Hendricks County
In the Hendricks Circuit Court May Term, 1892.

Edward H. Coons Administrator
of the estate of Miranda Moore,
deceased.
vs
William T. Coons
Eusebia B. Coons, Louisa E. Rogers,
Mary A. Coons, Edward H. Coons,
Samuel G. Coons, William N. Coons,
James T. Coons, Bertha Staley Hadley,
Edward A. Staley and Eusebia B. Staley. } Petition.

(Entries furnished by L. A. Barnett)

Comes now the above named defendant Edward H. Coons as administrator of the estate of Miranda Moore, deceased, and shows to the Court that said Miranda Moore died intestate, the owner in fee simple of Lot 4 in Block 7 in C. C. Davis addition to the town to the town of Danville, Hendricks County, State of Indiana, of the probable value of $400, on which there is no liens of record; that the personal assets of the estate amount to about $, no claims having been filed against said estate, but the debts of the same amount to $560. showing an insufficiency of the personal estate, to pay the debts of $; that the decedent left surviving her as her only heirs at law, her father William T. Coons, her mother Eusebia N. Coons, her brothers Edward H. Samuel G. William N. and James T. Coons, and her sisters Mary A. Coons, Louisa E. Rogers and also Bertha Staley Hadley Edward A. Staley and Eusebia B. Staley, children of her deceased sister Martha Staley, all of whom are over 21 years of age, except Eusebia B. Staley, who is an infant.

Wherefore said administrator asks an order of sale of said real estate

Edward H. Coons Admr.

Subscribed and sworn to before me this 14th day of June, 1892.

L. A. Barnett. N. P.

And the Court now orders process to issue on said petition returnable on the 6th day of September 1892 the same being the 1st judicial day of the September term 1892, until which time further proceedings herein are continued.

And afterward to-wit on the 24th day of January 1893, the same being the 20th day of the January term 1893 of the Hendricks Circuit Court before the Hon. John V. Hadley sole Judge thereof, proceedings were had of record of said cause in said Court in the words and figures following to-wit:-

Comes now Edward H. Coons as administrator of the estate of Miranda Moore deceased, by his attorney L. A. Barnett and shows to the Court the summons issued in said cause of action with the return of the Sheriff endorsed thereon, which shows that defendant Eusebia B. Staley was served with notice of the pendency of this action more than 10 days before the first day of the present term of said Court. Said summons and the sheriff's return thereon is in the words and figures following to-wit:-

The State of Indiana, Hendricks County ss:-

The State of Indiana, to the Sheriff of Hendricks County, Greeting:-

You are hereby commanded to summon Eusebia B. Staley (impleaded with others) to appear in the Circuit Court of Hendricks County, before the Judge thereof, on the 6th day of September 1892, being the 1st day of the September term, held in the Court House in Danville, beginning on the first Monday of September 1892, to answer the petition of Edward H. Coons, Administrator of the Estate of Miranda Moore, deceased, wherein he prays for a sale of the real estate of said decedent to make assets to pay his debts, and of this writ make due return.

Witness, the Clerk of said Court, and the seal thereof hereunto affixed at Danville, Indiana, this 16th day of June 1892

Enoch G. Hoyte
Clerk of Hendricks Circuit Court

Came to June 16th 1892 and served as commanded on the within named Eusebia B. Staley, this the 24th day of August 1892.

W. C. Clements.
S. H. C.

And now the infancy of said defendant Eusebia B. Staley is suggested to the Court, and the Court thereupon appoints George C. Harry, a reputable attorney of this bar, guardian ad litem, who now comes

into Court and file his answer as guardian ad litem of said defendant Eusebia B. Hadley.

Comes also said Administrator and file the appraisement of said real estate described in said petition, to wit, lot 4 in B. 7 in C.C. Nave addition to the town of Danville, Indiana. (

State of Indiana, Hendricks County,

We J. B. Middleton and C. C. Christy, swear that we will honestly appraise the real estate of Miranda Moon deceased, which may be exhibited to us.

J. B. Middleton
C. C. Christie } Appraisers.

Subscribed and sworn to this 24th day of January 1893, before me.
L. A. Barnett, Notary Public.

An inventory of Edward H. Conn Administrator of the Real Estate of Miranda Moon deceased, and described as follows, towit,-

Lot numbered four (4) in block numbered Seven (7) in C.C. Naves addition to the town of Danville, Hendricks County, State of Indiana, and appraised by us at $600.00.

J. B. Middleton
C. C. Christie } Appraisers.

as made by J. B. Middleton and C. C. Christie two reputable freholders and householders of said County and State, wherein said real estate is appraised at and for the sum of $600.

Also comes said Administrator and show the Court his bond in the sum of $1500 with Chas. T. Conn and L. A. Barnett sureties thereon which bond is now approved by the Court, and the approval endorsed thereon and said bond is now filed by the order of the Court.

Know all Men by these presents, that we Edward H. Conn, William T. Conn and L. A. Barnett are bound unto the state of Indiana, in the penal sum of fifteen hundred dollars, to pay which we jointly and severally bind ourselves, our heirs, executors and administrators.

Sealed and dated the day of January 1893.

The condition of the above obligation is, That as the above bound Edward H. Conn, Administrator of the estate of Miranda Moon deceased, has been ordered by the Circuit Court of Hendricks County, to sell the real estate of said Miranda Moon.

Now if the said Edward H. Conn will faithfully discharge the duties of his trust according to law, then the above obligation is to be void, else to remain in full force in law.

Edward H. Conn (seal)
William T. Conn (seal)
L. A. Barnett. (seal)

Approved the 24th day of January 1893.
John V. Hadley Judge
Circuit Court Hendricks County.

Comes also William T. Conn, Eusebia N. Conn, Louisa E. Rogers, Mary A. Conn, Samuel L. Conn, Edward H. Conn, William N. Conn, James T. Conn, and Bertha Hiley Hadley and Edward A. Hiley, in their own person and enter their appearance in said cause of action and file their assent,

Comes now William T. Conn, Eusebia N. Conn Louisa E. Rogers, Mary A. Conn, Edward H. Conn, Samuel L. Conn William N. Conn, James T. Conn, Bertha Hiley Hadley and Edward A. Hiley, defendants in the above cause of action and say;

That they, together with their co-defendant, Eusebia B. Hiley are the sole heirs at law of Miranda Moon deceased, and that each of us are over twenty one years of age, and that we in person come into Court and personally appear in the above cause of action, and that we join with said administrator in asking an order for the sale of the real estate of said deceased, described in the said petition filed herein, described as follow to wit; Lot No 4 in Block No. 7 in C.C. Naves Addition to the town of Danville, said County and State, and we hereby consent that the sale of said real estate be made in accordance with the prayer in said petition.

William T. Conn
Eusebia N. Conn
Louisa E. Rogers
Mary A. Conn
Samuel L. Conn
E. H. Conn
Wm N. Conn
Jas T. Conn
Bertha Hiley Hadley
Edward Hiley

that said real estate described in said petition be sold in accordance to the prayer in said petition.

Wherefore said cause is submitted to the Court for trial upon the answer of said guardian ad litem, and the answer and assent of

said adult defendants and the evidence being heard and the Court being fully advised in the premises, finds that the matters and things alleged in said petition are true, that said Miranda Moore died the owner of said real estate described in said petition as follows; Lot 4 in Block 7 in C. C. Nave's addition to the town of Danville, County of Hendricks, State of Indiana, and that the appraised value of said real estate, is less than $1000 and that she left as her only heirs at law, her father William T. Conn and her mother, Eusebia A. Conn, and her brothers, Edward H. Conn, Samuel L. William A. and James T. Conn and her sisters Mary E. Conn and Louisa E. Rogus and also Bertha Hiley Hadley, Edward A. Hiley and Eusebia B. Hiley, children of her deceased sister Martha Hiley, that the personal assets of said estate are insufficient to pay the debts and liabilities of said estate, and that said real estate should be sold to make assets pay said debts and liabilities.

It is therefor ordered adjudged, and decreed by the Court that said administrator proceed to sell said real estate at not less than its appraised value, 1/3 cash 1/3 in 6 months and the remaining 1/3 in 12 months, the purchaser giving his note for the deferred payments saving valuation and appraisement laws and bearing 6% interest, secured by first mortgage on said real estate, and report to this Court for approval, his actions thereon.

All of which is ordered adjudged and decreed.

And afterwards to wit on the 28rd day of January 1894 the same being the 20th day of the January Term 1894 of the Hendricks Circuit Court, before the Hon. John V. Hadley, sole Judge thereof, proceedings were had of record of said cause in said Court in the words and figures following to-wit:

Comes now Edward H. Conn, by his attorney L. C. Barnett and presents his petition asking for a reappraisement of the real estate described in this action:

Comes now Edward H. Conn, Administrator of the estate of Miranda Moore deceased and represents that the real estate described in his said petition, being lot numbered four (4) in block numbered seven (7) in Nave's addition to the town of Danville and is appraised at $600; that he has offered to sell said real estate at private sale but was not able to make sale thereof at the appraised value.

He states that said real estate was appraised too high and asks a reappraisement.

Edward H. Conn.

Subscribed and sworn to before me this 23rd day of January 1894.

L. C. Barnett.

Notary Public.

and the Court having examined said petition, finds that the appraisement heretofore made was too high and that said real estate should be reappraised.

It is therefor ordered that said real estate be reappraised and now comes said Administrator, and files the reappraisement of said real estate in said petition described as follows to-wit:- Lot numbered 4 in block numbered 7 in Nave addition to the town of Danville, Hendricks Co. Indiana:

State of Indiana, Hendricks County.

We, Cash C. Hadley and Allen Bell swear that we will honestly appraise the real estate of Miranda Moore deceased, which may be exhibited to us.

Cash. C. Hadley
Allen Bell } Appraisers

Subscribed and sworn to before me, this 23rd day of January 1894.

L. C. Barnett.

An inventory and appraisement of the real estate of Miranda Moore deceased, and described as follows to-wit:-

Lot numbered four (4) in block numbered seven (7) Christian C. Nave's addition to the town of Danville, Hendricks County, Indiana and appraised by us at $550.00.

Cash. C. Hadley
Allen Bell } Appraisers.

as made by Cash C. Hadley, and Allen Bell two reputable freeholders and house holders of said County and State wherein said real estate is appraised at and for the sum of $550.00.

And now comes said administrator and reports that he has made sale of said real estate and asks that the said sale be confirmed and that he be ordered to execute and deliver a deed of conveyance thereto. Which report is in words and figures as follows to-wit:-

Comes now Edward H. Conn, administrator of the estate of Miranda C. Moore, deceased, and reports to the Court, that pursuant to the order made in this case, he did proceed to offer at private sale the following described real estate, to-wit:

Lot numbered four (4) in Block numbered seven (7) in Nave's Addition to the town of Danville, Hendricks County, Indiana, the same being the real estate described in plaintiff's petition, and that

on the 23' day of January 1894 he did sell said real estate to Silas H. Reynolds at and for the sum of $576.00, the same bring more than the appraisement and the highest and best bid offred thereof and said purchaser paid in cash said sum of $576.00 which money said administrator now brings into Court and asks that said sale be in all things confirmed and that he be ordered to make and deliver to said purchaser a deed of conveyance of said real estate.

Edward H. Conn.

Subscribed and sworn to befor me a Notary Public this 23rd day of January 1894.

L.A. Barnett.
Notary Public.

And the Court examines said report and finds that said sale was made as the order of sale herein directed and that said sale should be approved and confirmed.

It is therefor ordered, adjudged and decreed that said sale be in all things confirmed and that said Administrator is hereby ordered to execute and present to this court for approval a deed of conveyance of said real estate.

Now comes said Administrator and presents to the Court a deed of conveyance wherein he as such Administrator conveys the following described real estate to-wit lot numbered four in block numbered three in Nave addition to the town of Danville, Hendricks County Ind. And now the Court examines said deed of conveyance and approves the same and endorses his approval thereon in these words; "Examined and approved in open Court and ordered to be delivered to said purchaser as evidence of his title, this 23rd day of Jan. 1894.

John L. Hadley
Judge C.C.C.

Now said Administrator delivers to said purchaser his deed of conveyance.

All of which is finally ordered, adjudged and decreed.

Attest David Hadley Clerk.

In the matter of the estate of Isabella Wallace.

Be it remembered that on the 25th day of October 1893 a complaint was filed in the office of the Clerk of the Hendricks Circuit Court, which complaint is in the words and figures following to-wit;

State of Indiana, Hendricks County ss;
In the Circuit Court November Term 1893.

James A Joseph
Administrator in
the estate of
Isabella Wallace
deceased
vs
Maggie Wallace Campbell. (Costume furnished by Hoyte & Clark).

The plaintiff complains of the defendant and says that said Isabella Wallace died intestate in Hendricks County, State of Indiana, on the 26th day of December 1891, leaving the defendant as her only heir at law, that said Isabella Wallace at the time of her death was the owner in fee of Lot four (4) in block three (3) of Nave addition to the town of Danville, Hendricks County, State of Indiana, which real estate is of the probable value of one thousand dollars ($1000). That the personal property of said decedent consisting of household goods, amounted at the time of appraisement to one hundred and thirty-nine and one half dollars ($139.50) which said household goods were turned over to the above defendant for her use in her home under a previous order of this Court and of which she has the custody and possession, that said property is of little value and would sell for an insignificant sum if placed on the market. That there are claims allowed and unpaid against said estate amounting to about fifty dollars ($50.) That the above described real estate is incumbered by a mortgage to the Citizens Building and Loan Association, dated September 18, 1889 which is recorded in Mortgage Record 28 at page 555 of the Record of Hendricks County, said mortgage being to secure the payment of a note for seven hundred dollars ($700.) at six percent interest. That there is yet due and unpaid on said note dollars ($). that there are no other liens on said property except the unpaid taxes. That it will be necessary to sell said property to discharge said liens and pay the other debts of said estate and the expenses of the administration. Therefor he asks for an order of sale directing him to sell said property discharged of the lien of said mortgage on such terms as to payment as the Court may direct.

J. A. Joseph.

Subscribed and sworn to bfor me this 25th day of Novmbr 1893

James L. Clark.

Notary Public

James A. Joseph bring duly sworn, says he is the plaintiff in the abov entitled cause, that said cause is for the sale of real estate to pay debts of the estate of said Isabella Wallace, and that the defendant Maggie Wallace Campbell is a necessary party defendant to said cause, and that said Maggie Wallace Campbell is not a resident of the State of Indiana.

J. A. Joseph.

Subscribed and sworn to bfor me this 25 day of Novmbr 1893.

James L. Clark.

Notary Public

The abov complaint is endorsed as follows to wit:-

The Clerk will issue process in this cause and make the same returnable the 15th day of Decembr 1893 that bring the 35th day of the Novmbr Term of this Court.

Hogate & Clark

Attorneys for plaintiff.

And afterwards to-wit: on the 3rd day of January 1894 the same bring the 3rd day of the January Term 1894 of the Hendricks Circuit Court, bfor the Hon. John V. Hadley, sole Judge thereof, proceedings were had of record of said cause in said court in the words and figures following to-wit,-

Come now the plaintiff and files proof of publication, from which it appears to the satisfaction of the court that notice of the filing and pendency of this action was duly given the defendant herein by publication in the Hendricks County Republican, a weekly news paper of general circulation printed and published in the Hendricks County, which publication was for three successive weeks, the first of which was on the 26th day of Octobr 1893 and the last on the 9th day of Novmbr 1893 and the last of which was more than thirty days bfor the first day of the present term of this court. The notice aforsaid and the proof of publication thereof is in words and figures following to-wit:-

The State of Indiana Hendricks County ss:-

In the Hendricks Circuit Court, Novmbr Term 1893.

James A. Joseph Administrator of the estate of Isabella Wallace vs Maggie Wallace Campbell.

Complaint No 1221.

Now comes the plaintiff by Hogate & Clark his attorneys and files his complaint herein together with an affidavit stating that said defendant is not a resident of the State of Indiana; that said action is for sale of real estate to pay debts and that said non-resident defendant is necessary party thereto.

Notice is therefore hereby given said defendant last named, that unless she be and appear on the 35th day of the next term of the Hendricks Circuit Court to be holden on the first Monday of Nov. A.D. 1893, at the court house in Danville, in said county and state, and answer or demur to said complaint, the same will be heard and determined in her absence.

Witness my name and the seal of said court affixed at Danville this 26th day of Octobre A. D. 1893.

David Hadley

Clerk.

State of Indiana, Hendricks County, ss:-

Personally appeared bfor the undersigned, Julian D. Hogate, editor of the Hendricks County Republican, a public weekly newspaper of general circulation, printed and published in Danville, in the County aforsaid, who being duly sworn, upon his oath, saith that the notice, of which the attached is a true copy, was duly published in said paper for 3 weeks successively, the first of which publication was on the 26th day of October, 1893, and the last on the 9th day of Novmbr 1893.

Julian D. Hogate

Subscribed and sworn to bfor me this 10th day of Novmbr 1893.

David Hadley Clerk.

And now said defendant failing to appear to said action is three times loudly called and come not but hereof wholly make default. And now this cause is submitted to the Court for trial, finding and decree without the intervention of a jury. And the court having heard the evidence and bein fully advised in the premises finds that the allegations in the complaint are true, to-wit:-

That plaintiffs decedent died intestate in Hendricks County and state of Indiana on the 26th day of Decembr 1891, the owner in fee

of the following described real estate in Hendricks County and State of Indiana, to wit: Lot four (4) in block three (3) in Nave's addition to the town of Danville.

That the personal property of said decedent amounted at the time of appraisement to $139.50 and that the same was turned over to the defendant at said time by order of this court to be used by said defendant until the further order of the Court.

That there claims allowed and unpaid against said estate amounting to about fifty dollars.

That there is a mortgage on the abov described real estate securing to the Citizens Building and Loan Association the payment of seven hundred dollars and upon which sum there has been paid an amount sufficient to reduce said sum so secured to $. and that said mortgage is dated September 15th. 1879 and is recorded in Mortgage Record 23 at page 655 of the mortgage records of Hendricks County Indiana. That said sum of $ is now due to said Citizens Building and Loan Association.

That it will be necessary to sell said real estate to make funds to pay said mortgage and other indebtedness and that it will be best to sell the same discharged of the lien of said mortgage.

The court now therefore orders said administrator to cause said real estate to be appraised by two competetent appraisers and report the appraisement to this court instanter.

And now comes said administrator and files an appraisement of said real estate made by Benj. F. Thomas and F. J. Christie two disinterested and competent free holders residing in the neighborhood of said real estate, which appraisement is in the words and figures following, to wit,-

State of Indiana, Hendricks County.

We, Benjamin F. Thomas and Frank Christie, swear that we will honestly appraise the Real Estate of Isabella Wallace deceased, which may be exhibited to us.

Benj. F. Thomas
F. J. Christie } Appraisers.

Subscribed and sworn to, this 3rd day of Jan 188 before me.
James L. Clark Notary Public

An Inventory of part of the real estate of Isabella Wallace deceased

and described as follows, to wit: Lot four (4) in block three (3) in Nave's Addition to the town of Danville in Hendricks County and State of Indiana and appraised by us at $1100.00.

Benj. F. Thomas
F. J. Christie } Appraisers.

and in which said real estate is appraised at $1100.00. And now said administrator files his additional bond in the sum of $2200.00 with Thad. S. Adams as his surety, and which bond is now approved by the court. And is in words and figures following to wit:-

Know all Men by these Presents, that we Jas. A. Joseph as bound unto the State of Indiana, in the penal sum of twenty-two hundred dollars, to pay which we jointly and severally bind ourselves, our heirs, executors and administrators.

Sealed and dated, the 3rd day of January 1894.

The condition of the abov obligation is, That as the abov bound Jas A. Joseph, Administrator of the estate of Isabella Wallace deceased, has been ordered by the Circuit Court of Hendricks County, to sell the real estate of Isabella Wallace.

Now if the said James A. Joseph will faithfully discharge the duties of his trust according to law, then the abov obligation is to be void, else to remain in full force in law.

Jas. A. Joseph, Admr. [Seal]
Thad. S. Adams [Seal]

Approved the 3rd day of January 1894.

John V. Hadley
Circuit Court ---------- County.

It is now therefore ordered and decreed by the Court that said administrator, proceed, after first giving notice by publication for four weeks in a news paper of general circulation printed and published in Hendricks County and State of Indiana and by posting not less than five printed or written notices of the time, place and terms of sale, to sell said real estate at private sale for not less than the appraised value and said sale shall be made for one third cash, one third in six and one third in twelve months from day of sale, the defered payment to be secured by mortgage on the premises sold, the purchaser giving his note therefor payable at bank and bearing six percent

interest from date and having valuation and appraisement laws.
If sale is not made on the day fixed by said notice said sale shall be continued from day to day at a place also to be fixed by said notice until said real estate is sold.

And thereafter to wit on the 18th day of February 1894 the same being the 28th day of the January Term 1894, of the Hendricks Circuit Court, before the Hon. John V. Hadley, sole Judge thereof proceedings were had of record of said cause in said court in the words and figures following to wit;-

Comes now the petitioner herein and files his petition to have the order of sale of real estate herein Modified, which petition is in words and figures following, to-wit;-

Comes now the petitioner in the above entitled cause and shows to the court that he gave notice as directed by the order of this court of the time place and terms of sale of the real estate of said decedent, Isabella Wallace, and that the time for sale of the same has now arrived, and that he has a good offer for said real estate, but that the proposed purchaser desire to pay all of the purchase money at time of purchase, and the order of sale and the terms as made by said notice require a sale to be made for one third cash and one third in six and one third in twelve months from date of sale. He further show the court that there is a mortgage on said real estate as shown by the petition and order of sale, and that said mortgage is for a sum greater than one third of the price offered or that will likely be offred for said real estate, and that it will be to the advantage of the estate to have said mortgage debt paid at this time as the same is bearing a greater rate of interest than will be received on the deferred payments if said real estate as sold as provided for in said order of sale. He further show the court that the heir of said Isabella Wallace is desirous of having at this time all of the purchase price of said real estate not required to pay the debts of said estate, and now asks the court to so modify the order of sale herein as to permit him to sell said real estate for cash on day of sale.

James A. Joseph, Admr.

And the court having examined said petition and been fully advised in the premises finds that the prayer of said petition ought to be granted

It is therefor ordered and decreed by the court that the order of sale heretofore made by this court in this cause be and the same is now hereby modified and said administrator is ordered to sell said real estate for cash on day of sale, and report his doings to this court.

Comes now James A. Joseph, administrator of the estate of Isabella Wallace, deceased and files his report of the sale of real estate in the above entitled cause, which report is in words and figures to wit;-

James A. Joseph, Administrator of the estate of Isabella Wallace deceased respectfully shows to the court that in obedience to the order of this court heretofore made in this cause he gave notice by publication for four weeks, in the Hendricks County Republican a weekly newspaper of general circulation printed and published in Hendricks County and State of Indiana the first of which publications was on the 11th day of January 1894 and the last on the 1st day of February 1894, as will appear from the proof of publication filed herewith and made a part of this report in these words to wit;-

Notice is hereby given that on Saturday, the 10th day of February 1894, I will offer for sale at private sale, the following real estate in Hendricks County, Indiana, to-wit;-

Lot 4 in block 3 in Nave's addition to the town of Danville.

Said sale will be at the office of the Central Normal College in Danville and if sale is not made on said date, said sale will be continued from day to day at said place until said real estate is sold.

The above real estate belongs to the estate of Isabella Wallace, deceased, and will be sold under orders of the Hendricks Circuit Court.

Terms — One third cash, one third in six months, and the balance in twelve months.

Jas. A. Joseph
Administrator.

State of Indiana, Hendricks County, ss:

Personally appeared before the undersigned, Julian D. Hogate, editor of the Hendricks County Republican a public weekly newspaper of gnurial circulation, printed and published in Danville, in the County aforesaid, who being duly sworn, upon his oath, saith that the notice of which the attached is a true copy, was duly published in said paper for four weeks successively, the first of which publication was on the 11th day of January 1894 and the last on the 1st day of February, 1894.

Julian D. Hogate.

Subscribed and sworn to before me, this 16 day of February 1894.

James L. Clark
Notary Public.

And by posting five copies of said notice in Center township in Hendricks County and State of Indiana, (That being the township in which the real estate of said decedent is situate) more than four weeks before the 16th day of February 1894, as will appear by the proof of posting filed herewith and made a part hereof in these words to-wit:-

Notice is hereby given that on Saturday the 10th day of February 1894. I will offer for sale at private sale the following real estate in Hendricks County, Indiana, towit:

Lot 4 in block 3 in Nave's addition to the town of Danville.

Said sale will be at the office of the Central Normal College in Danville and if sale is not made on said date said sale will be continued from day to day at said place until said real estate is sold.

The above real estate belongs to the estate of Isabella Wallace deceased and will be sold under order of the Hendricks Circuit Court.

Terms one-third cash, one-third in six months and the balance in twelve months.

Jas. A. Joseph
Administrator.

State of Indiana, Hendricks County ss:-

James Joseph, being first duly sworn says that he posted five copies of the annexed notice in Center Township in Hendricks County and State of Indiana, thirty days before the tenth day of February 1894.

James A. Joseph
Administrator.

Subscribed and sworn to before me this of February 1894.

James L. Clark.
Notary Public.

that the real estate of said decedent, to-wit: lot four(4) in block three (3) in Nave addition to the town of Danville in Hendricks County and State of Indiana, would be offered for sale at private sale at the office of the Central Normal College in the town of Danville in said County, on the 10th day

of February 1894 and from day to day until sale was made, and that said sale would be made for one third, cash, one third in six and one third in twelve months as provided for in the original order of sale herein, which said order has since been modified so as to permit a sale of said real estate for cash on day of sale.

And on said 10th day of February 1894 said real estate was offered for sale at private at the place and on the time as contained in said notice. And receiving no satisfactory offer therefor on said date said sale was continued from day to day, until the 16th day of February 1894, when Hattie A. Kenney offered for said real estate Forty hundred dollars, in cash, which said offer was accepted and said real estate sold to said Hattie A. Kenney for that sum, that being the highest and best bid, proffered for said real estate and more than the appraised value thereof.

Said money is now produced in open court and the Court is asked to confirm said sale

J. A. Joseph Admr

Subscribed and sworn to before me this 16th day of February 1894.

James L. Clark
Notary Public

And the court having examined said report and being fully advised in the premises finds that said report ought to be approved.

It is therefore ordered, adjudged and decreed by the court that said sale of said real estate by said administrator to said Hattie A. Kenney be confirmed, and approved.

And now the court orders said administrator to prepare, and present for the inspection of the court, a deed, conveying said real estate to said purchaser.

And now comes said administrator and presents for the inspection of the court a deed, duly acknowledged, conveying to said Hattie A. Kenney, lot four (4) in block three (3) in Nave's addition to the town of Danville in Hendricks County and State of Indiana, and the court having examined said deed approves the same and endorses his approval thereon in these words; "Examined and approved in open court this 16th day of February 1894.

John R. Hadley, Judge."

And the court now orders said administrator to deliver said deed to said purchaser as an evidence of her title.

Attest David Hadley
Clerk.

Be it remembered that on the 25th day of April 1893 a complaint was filed in the offis of the Clerk of Hendricks Circuit Court, which complaint was in the words and figures following to-wit:-

State of Indiana, Hendricks County ss;-
In the Circuit Court, May Term, 1893.
Orion H. Barnhill Administrator
of Anna Reynolds, deceased
vs
David Reynolds
Mary Cullins
Benjamin Reynolds
John Reynolds
Eliza Reynolds
Harriett Cullins.

The plaintiff complains of defendants, and says that his decedent, Anna Reynolds, died intestate in Hendricks County, State of Indiana, on ___ day of 1892, and he says that she is owner in fee of the following described real estate, to-wit; forty four and one half feet off of the west end of lot No. one (1) in Block thirty three (33) in the town of Danville in Hendricks County and State of Indiana.

He says that said decedent left no personal property and that there are claims against the estate of said decedent to the amount of two hundred dollars $200.00; that the above described real estate is probably valued at three hundred dollars - $300.; that it will be necessary to sell said real estate to pay the debts of said estate; that the above named defendants are the heirs and only heirs at law of said decedent. Wherefore he asks for order of court directing the sale of said real estate on such terms as the court may order.

Said plaintiff being duly sworn, says that the matters and things set out in the foregoing complaint are true as he verily believe.

Signed
O. H. Barnhill

Subscribed and sworn to before me this the 25th day of April, 1893.
David Hadley Clerk.

O. H. Barnhill, being duly sworn says; that he is plaintiff in the foregoing cause, that said cause is for the sale of real

estate to pay debts of the estate of Anna Reynolds, deceased. That John Reynolds is a necessary party and a defendant in said cause, and that he is not a resident of the State of Indiana, as plaintiff is informed and believe

Signed Orion H. Barnhill.

Subscribed to and sworn to before me this the 25th day of April, 1893.

David Hadley
Clerk

Said complaint is endorsed as follows to-wit.

The Clerk will issue notice and set this cause for hearing on the 19th day of June 1893.

Hogate & Clark
Attorneys for plaintiff.

Also:

The Clerk will issue a non-resident notice herein for Benjamin Reynolds, returnable November 13th 1893.

Hogate & Clark
Attys for Admr.

And afterwards to wit on the 13th day of November 1893 the same being the 7th day of the November term 1893 of the Hendricks Circuit Court, before the Hon. John V. Hadley, sole Judge thereof, proceedings were had & recorded of said cause in said Court in the words and figures following to-wit:-

Comes now the Administrator of said estate by Hogate and Clark, his attorneys and shows to the Court the writ of summons issued herein to the Sheriff of Hendricks County, together with the returns of the Sheriff thereon from which it appears that David Reynolds, Mary Cullins, Eliza Reynolds and Harriet Cullins had each been duly served with summons herein at least ten days before the 19th day of June 1893 which summons and the returns thereon are in words and figures following to wit:-

The State of Indiana, Hendricks County, ss:

The State of Indiana, to the Sheriff of Hendricks County, Greeting:

You are hereby commanded to summon David Reynolds Mary Cullins, Benjamin Reynolds, Eliza Reynolds, Harriet Cullins, to appear in the Circuit Court of Hendricks County, before the Judge thereof, on the 19th day of June 1893, being the 43 day of the May term, held in the Court House in

Danville, beginning on the first Monday of May 1893, to answer the petition of Orion H. Barnhill, Administrator of the Estate of Anna Reynolds, deceased, wherein he prays for a sale of the Real Estate of said decedent to make assets to pay his debts, and of this writ make due return.

Witness, the Clerk of said Court, and the seal thereof hereunto affixed at Danville, Indiana, this 25th day of April 1893.

David Hadley
Clerk of Hendricks Circuit Court.

Came to hand April 25th 1893 and served as commanded by reading to and within the hearing of the within named David Reynolds, Mary Cullins, Eliza Reynolds and Harriet Cullins

This the 27th day of April 1893.

John T. Taylor Sheff.

The State of Indiana, Hendricks County, ss:

The State of Indiana, to the Sheriff of Howard County - Greeting:

You are hereby commanded to summon Benjamin Reynolds (colord Barber) to appear in the Circuit Court of Hendricks County before the Judge thereof, on the 19th day of June 1893, being the 43rd day of the May term, held in the Court House in Danville, beginning on the first Monday of May 1893 to answer the petition of Orion H. Barnhill, Administrator of the Estate of Anna Reynolds deceased, wherein he prays for a sale of the real estate of said decedent to make assets to pay his debts and of this writ make due return.

Witness, the Clerk of said Court, and the Seal thereof hereunto affixed at Danville, Indiana, this 25th day of April 1893.

David Hadley
Clerk of Hendricks Circuit Court.

The within named Benjamin Reynolds cannot be found within my County, I therefor return this writ not served.

Done this the 2d. day of June 1893

E.A. Simmons Sheriff.

The Administrator also shows to the Court and files the affidavit of Julian D. Hogate, editor of the Hendricks County Republican, a

weekly newspaper of general circulation, printed and published in Danville in the County aforesaid, from which affidavit it appears that notice of pendancy of the petition herein had been published in said news paper for three weeks successively, thirty days before the forty third judicial day of the Mlay Term 1893. the first of which publication was on the 27th day of April 1893 and the last was on the 11th day of Mlay 1893. Said affidavit in words and figures following towit:-

Probate cause No 1203.

Orion H. Barnhill administrator of the estate of Anna Reynolds deceased vs David Reynolds et al.

In the Circuit Court of Hendricks County, Indiana, Mlay Term 1893.

To John Reynolds. You are hereby notified that the above named petitioner as administrator of the estate aforesaid, has filed in the Circuit Court of Hendricks County, Indiana a petition, making you defendant thereto, and praying therein for an order and decree of said Court, authorizing the sale of certain real estate belonging to the estate of said decedent and in said petition described to make assets for the payment of the debts and liabilities of said estate, and that said petition, so filed and pending is set for hearing in said Circuit Court at the Court house in Danville Indiana, on the 43rd judicial day of the Mlay term 1893, of said court. the same being the 10 the day of June 1893.

Witness the clerk, and seal of said court this 25th day of April 1893.

David Hadley, Clerk.

State of Indiana, Hendricks County, ss:

Personally appeared before the undersigned, Julian D. Hogate editor of the Hendricks County Republican a Public weekly newspaper of genral circulation, printed and published in Danville, in the County aforesaid, who being duly sworn, upon his oath, saith that the notice, of which the attached is a true copy, was duly published in said paper for 3 weeks successively, the first of which publication was on the 27th day of April 1893, and the last on the 11th day of Mlay 1893.

Julian D. Hogate.

Subscribed and sworn to before me, this 15th day of Mlay, 1893.

David Hadley, Clerk.

The Administrator also show to the Court another affidavit of Julian D. Hogate, editor as aforesaid of the newspaper as aforesaid from which affidavit it appears that a notice of the pendancy of the petition herein had been given in said newspaper to Benjamin Reynolds three weeks in succession, thirty days before the 13 day of November 1893, the first of which publication was on the 31st day of September 1893, and the last was on the 6th of Oct. 1893 said affidavit is in words and figures following, to wit:-

Probate Cause No 1203.

Orion H. Barnhill, administrator of estate of Anna Reynolds deceased vs David Reynolds et al.

In the Circuit Court of Hendricks County, Indiana, November term 1893.

To Benjamin Reynolds. You are hereby notified that the above named petitioner as administrator of the estate aforsaid has filed in the Circuit Court of Hendricks county, Indiana, a petition making you defendant thereto, and praying therein for an order and decree of said Court authorizing the sale of certain real estate belonging to the estate of said decedent and in said petition described, to make assets for the payment of the debts and liabilities of said estate, and that said petition, so filed and pending is set for hearing in said Circuit Court at the court house in Danville Indiana on the 7th judicial day of the November term, 1893 of said Court the same being the 15th day of November, 1893.

Witness the Clerk and Seal of said court this 20th day of September, 1893.

David Hadley Clerk.

State of Indiana, Hendricks County ss:

Personally appeared before the undersigned, Julian D. Hogate, editor of the Hendricks County Republican a public weekly newspaper of general circulation, printed and published in Danville, in the County aforsaid, who being duly sworn, upon his oath, saith that the notice, of which the attached is a true copy, was duly published in said paper for 3 weeks successively, the first of which publication was on the 31st day of September 1893 and the last on the 6th day of October 1893.

Julian D. Hogate.

Subscribed and sworn to before me, this 14th day of October 1893.
David J Hadley Clerk.

And the said David Reynolds, Mary Cullins, Benjamin Reynolds, John Reynolds, Eliza Reynolds and Harriet Cullins, failing to appear and answer the petition herein they are each called loudly three times but come not herein wholly make default. And now on the motion of the petitioner the petition is submitted to the Court for hearing, finding and decree without the intervention of a jury. And after hearing the evidence the Court finds that Anna Reynolds died intestate in Hendricks County in the State of Indiana on the day of 1892. And that she was the owner in fee simple of the real estate described in said petition. The Court also finds that said decedent left no personal estate and that there are claims against said estate of the amount of two hundred dollars ($200), and that the above mentioned real estate is of the probable value of three hundred dollars ($300). The Court also finds that it will be necessary to sell said real estate to pay the debts of the said decedent and, that the defendants, above named, are the heirs at law and only heirs of said decedent.

And now the said Administrator comes and files an inventory and appraisement of the real estate in said petition described, from which it appears that the same was appraised by and two reputable house holders and free holders of the neighborhood of said real estate at the sum of dollars, said appraisement in words and figures following, to wit;-

State of Indiana, Hendricks County.

We Isaac Pierol and John Bousman swear that we will honestly appraise the Real Estate of Anna Reynolds deceased which may be exhibited to us.

Isaac Pierol
John Bousman } Appraisers.

Subscribed and sworn to, this 8th day of November 1893 before me.

David Hadley, Clerk.

An inventory of all of the real estate of Anna Reynolds deceased, and described as follows, to-wit: Forty five and one half (45 1/2) feet off of the west end of lot number one (1) in block number thirty-three (33) in the town of Danville, Hendricks County, Indiana, and appraised by us at $100.00.

Isaac Pierol
John Bousman. } Appraisers.

And now said Administrator file a bond in the penal sum of dollars conditional for the faithful performance of his duty in and about the sale of said real estate with and as security, which bond and the security thereto is approved by the Court, said bond made in words and figures following to-wit;-

Know all men by these presents, That we Orion H. Barnhill John H. Alder are bound unto the State of Indiana, in the penal sum of Two hundred dollars to pay which we jointly and severally bind ourselves, our heirs, executors and administrators.

Sealed and dated the 8th day of November 1893.

The condition of the above obligation is, That, as the above bound Orion H. Barnhill, Administrator of the Estate of Anna Reynolds deceased, has been ordered by the Circuit Court of Hendricks County, to sell the real estate of the said decedent.

Now, if the said Orion H. Barnhill will faithfully discharge the duties of his trust, according to law, then the above obligation is to be void, else to remain in full force in law.

O. H. Barnhill [Seal]
John H. Alder [Seal]

Approved the 8th day of November 1893.
John V. Hadley Judge
C.C. of Hendricks County.

State of Indiana, Hendricks County ss:
I, John H. Alder, swear that I am worth one and above my indebtedness, two thousand dollars, as I believe, so help me God.
John H. Alder.

Subscribed and sworn to before me, the 8th day of Nov 1893

David Hadley Clerk
C.C. of Hendricks County.

It is therfore ordered adjudged and decreed by the Court that said Administrator, proceed to sell at private sale without notice of the time place or conditions of sale of the following real estate in Hendricks County in the State of Indiana, to wit;- forty-five and one half feet (45-½) off of the west end of Lot No 1 in Block 38 in the town of Danville, and that he sell the same for cash in hand on the day of the sale. And that he make report of his proceedings to this court.

And afterwards to wit on the 2nd day of January 1894 the same being the 2nd day of January term 1894, of the Hendricks Circuit Court, before the Hon. John V. Hadley, sole Judge thereof proceedings were had of record of said cause in said court in the words and figures following to wit;-

Comes the administrator herein and files a report of sale herein in the words and figures as follows to-wit;-

Comes now Cha H. Barnhill, administrator of the estate of Ann Reynolds deceased, and shows to the Court that pursuant to the order herein he offered for sale at private sale without notice of the time, place, terms, or conditions of sale the real estate herein, and on the 7th day of December 1893 Aaron Hart offered for the following real estate to-wit;- forty five and one half feet off of the west end of lot number one (1) in block number thirty three (33) in the town of Danville in Hendricks County in the State of Indiana the sum of one hundred and five dollars ($105.00) and no person offering more and that sum being more than the appraised value of said real estate I sold the same to the said Aaron Hart for that sum.

Whereupon the said Aaron Hart paid his bid in cash, which money the administrator now brings into Court and asks the Court to approve the sale and order a deed made conveying the said real estate to the said Aaron Hart

Orion H. Barnhill
Administrator.

Subscribed and sworn to this 7th day of December 1893.
David Hadley Clerk

And the Court having examined said report and being fully advised in the premises finds that said sale so made ought be approved.

It is therfore ordered, adjudged and decreed by the Court, that said sale be and the same is hereby in all things approved and confirmed, and said administrator is hereby ordered to report forthwith to the Court for approval a deed conveying to the purchaser the real estate so purchased by him.

And now comes said administrator and as he is commanded reports to the Court a deed conveying to the said purchaser the said real estate, which deed is examined and approved by the Court and his approval is endorsed thereon in these words; "Examined and approved in open Court this day of December 1893, and ordered delivered to the purchaser
John V. Hadley Judge."

All of which is finally ordered adjudged and decreed by the Court.

Attest, David Hadley
Clerk.

Be it remembered that on the 5th day of October 1893, the same being the 28th day of the September term 1893 of the Hendricks Circuit Court, before the Hon. John V. Hadley, sole Judge thereof proceedings were had in the words and figures following to-wit;

Come now William H. Vannice Guardian of Velma B. Vannice and Raymond C. Vannice, minor heirs of Ida M. Vannice deceased, and presents to the Court and files a petition to sell all the real estate of the said minors, which petition is in the words and figures following to-wit;-

William H. Vannice, Guardian of Velma B. and Raymond C. Vannice minor heirs of Ida M. Vannice, deceased now comes and shows to the Court that his wards are the owners in fee simple of the following described real estate in Hendricks County, in the state of Indiana, to-wit;- The undivided one fifth of Lots 3 and 6 in block one (1) the undivided one fifth of Lots 3, 4, 5 and 6 in block 2 all in Davidson's Addition to the Town of North Salem. Also the undivided one fifth of the North half of Lots 3 & 4 in block 2 in Davis & Duckworths Addition to the town of North Salem.

Also the undivided one fifth of an undivided one third of the following described real estate; Part of the E½ of the N. E. ¼ of Section 15, township 16 north in range 2 west and described as follows;- Beginning at the north west corner of said east half quarter; thence south west section bearing 160 rods, to the south west corner of said east half quarter, thence east with bearing of section 91 rods; thence north parallel with the west line thereof 160 rods to the north line of said section 15; thence west with said line 91 rods to the place of beginning, estimated to contain 91 acres more or less.

Also the undivided one fifth of the following;- The south part of the West half of the north west quarter of section four (4) in Township sixteen (16) north, in range 2 west, beginning at the south east corner thereof; thence north 90 rods to the centre west of Pearl street in the town of North Salem thence west with centre of said street and the North Salem, and Russellville State Road as now located, to the west line of said quarter; thence south on said line to the south west corner thereof; thence east, to the place of beginning, except one and one half acres in the north west corner of said tract used for Brick Kiln, also excepting one rood in the south east corner; commencing 10 feet west of the east line and ending ten feet west of said line, leaving a lane 10 feet wide, belonging to the original tract containing 44½ acres more or less, which interest of said minors is of the probable value of $1000.00. That the amount of the wards personal estate is $116.00 and the same is loaned out at interest; that the said wards will have coming to them in the settlement of the estate of their grand father Daniel N. Davidson the probable sum of $600.00 and that he has no knowledge of any other sum coming to his wards dependent upon the settlement of any estate or the execution of any trust. He believes the annual rental value of his wards interest in said real estate will be about $63.00 and that he has received no rents since the death of the said Daniel N. Davidson from whom said real estate descends. He says his wards are six and four years of age respectively.

He shows to the Court that said real estate is in four tracts and widely separate; that a petition is now pending for a partition of said real estate among the heirs of said Daniel N. Davidson deceased, and he believes that he can sell said real estate to such an advantage that the money derived therefrom at interest, will bring a better income to his wards than the land will bring them.

He also says that he can sell the interest of his wards to the other heirs of said Daniel N. Davidson for a good price, and he asks an order accordingly.

W. H. Vannice.
Guardian

Subscribed and sworn to before me this 3rd day of October 1893.
Enoch G. Hogate
Notary Public

And the Court having examined said petition and being fully advised in the premises finds that it is proper to sell said real estate for the purposes set out in the petition.

And now the Court appoints Harvey H. Hunter and Thomas S. Moore, two reputable householders and free holders of the County of Hendricks as appraisers to appraise the said real estate, and that after being commissioned and sworn they appraise

said real estate and report their appraisement to this term of Court.

And now come said appraisers and show to the Court that they have appraised said real estate at the sum of $950.50 and that they were duly qualified to appraise said real estate. They also file their appraisement which is in the words and figures following to-wit:-

State of Indiana, Hendricks County ss:-

I, David Hadley, Clerk of the Circuit Court of said County, certify that Harry Buntain and Thomas S. Moore of said County have been appointed by said Court, appraisers of the real estate of Velma B. and Raymond B. Vannice, minor heirs of Ida M. Vannice deceased, and that they report their appraisement to this court.

Witness my hand and seal this 5th day of October 1893.

David Hadley
Clerk.

State of Indiana, Hendricks County ss:-

Personally appeared before me Harry Buntain and Thomas S. Moore, the above named appraisers, and were sworn truly and impartially to appraise the property in the certificate above mentioned.

H. H. Buntain
T. S. Moor

Subscribed and sworn to this 5th day of October 1893
Enoch G. Hogate
Notary Public

The undersigned appointed to appraise the following real estate to-wit:-

The undivided 1/5 of Lots 3 and 6 in block one and the undivided 1/5 of Lots 3, 4, 5 & 6 in block 2 all in Davidson's addition to the town of North Salem, and appraised at $70.00

Also the 1/5 of the N ½ of Lot 3 & 4 in block 2 in Davis and Duckworth's Addition to the town of North Salem appraised at $240.00.

Also the undivided 1/5 of an undivided 1/8 of the following described real estate; part of C² of N.W. ¼ of Sec. 15 T. 16 N. R. 2 W. and described as follows; Beginning at the North East corner of said C ½ quarter; thence South section bearing 160 rods to the south west corner of said C ½ quarter; thence east with bearing of section 31 rods; thence north parallel with the west line thereof 160 rods to the north line of said section 15; thence west with said line 31 rods to the place of beginning estimated to contain 31 acres more or less, and appraised at $62.00

Also the undivided 1/5 of the following:-

The south part of the west half of the N.W. ¼ of Sec. 4, T. 16 N. R 2 West, beginning at the south east corner thereof; thence north 90 rods to the centre west of Pearl Street in the town of north Salem; thence west with centre of said street and the North Salem and Russellville State Road as now located, to the west line of said quarter; thence south on said line to the south west corner thereof thence east to the place of beginning, except one and one half acres in the north west corner of said tract used for a Brick Kiln. Also except one acre in the north east corner, commencing 10 feet east of the east line and riding 10 feet west of said line, leaving a lane 10 feet wide, belonging to the orginal tract containing 74 ½ acres more or less and appraised by us at $578.00

The total appraised value of all said real estate is $950.50

H. H. Buntain.
T. S. Moor
Appraisers

Oct 5th 1893.

And now the said guardian files a bond in the penal sum of $1900.00 with S. R. Davis and W. P. Hurty as sureties which bond and the security thereto are approved by the Court. Said bond reads as follows:- (out on file)

It is therefor ordered adjudged and decreed by the Court that said guardian proceed to sell at private sale without notice of the time, place, terms or conditions of sale the following real estate in Hendricks County in the State of Indiana to-wit:- (See discription of the real estate in the petition)

And said Guardian is ordered to report his proceedings to this Court

And now comes said Guardian as he is required and files a report of sale which report is in the words and figures as follows towit:-

Comes now William A. Vannice, Guardian of Velma B. and Raymond A. Vannice, minor heirs of Ida M. Vannice deceased, and in pursuance to the order of the Court herein he offred for sale at private sale without notice of the time place, terms or conditions of sale the following real estate in Hendricks County in the State of Indiana, to-wit:- The undivided one fifth of lots three (3) and six (6) in block one (1) and the undivided one fifth of lots three (3) four (4) five (5) and six (6) in Block two (2) all in Davidsons' addition to the town of North Salem. Also the undivided one fifth (1/5) of the north half of lots three (3) and four (4) in block two (2) in Davis' & Heckworths addition to the town of North Salem.

Also an undivided one fifth (1/5) of an undivided one third (1/3) of the following described real estate; Part of the east half of the North west quarter of section fifteen (15) township sixteen (16) north in range two (2) west and described as follows; Beginning at the north west corner of said east half quarter; thence south with section bearing 160 rods, to the south west corner of said east half quarter, thence ~~north~~ east with section bearing of section 81 rods; thence north parallel with the west line thereof 160 rods to the north line of said section 15; thence west with said line 81 rods to the place of beginning estimated to contain 81 acres more or less. Also the undivided one fifth of the following; The south part of the west half of the north west quarter of section four (4) in township sixteen (16) north in range two (2) west, beginning at the south east corner thereof; thence north 90 rods to the south west of Pearl street in the town of North Salem; thence west with the centre of said street and the North Salem and Russellville State road as now located to the west line of said quarter; thence south on said line to the south west corner thereof; thence east to the place of beginning, except one and one half acres in the north west corner of said tract used for Brick Kiln. Also except one acre in the North east corner commencing ten (10) feet west of the east line and ending ten (10) feet west of said line, leaving a lane ten (10) feet wide belonging

to the original tract, containing forty four and one half (44 1/2) acres more or less, whereupon William R. Davidson Mattie N. Davidson, Gillie V. Davidson Melissa P. Hyppe offred for said real estate the sum of One Thousand and Sixty dollars ($1060.00) in cash and no one offering more and that sum being more than the full appraised value for said real estate I thereupon sold the same to said William R. Davidson, Mattie N. Davidson, Gillie V. Davidson and Melissa P. Hyppe for said sum.

And now the Guardian asks the Court to approve the sale so made and order a deed made to the purchasers.

W. H. Vannice
Guardian.

Subscribed and sworn to before me this 5th day of October 1893.

Enoch B. Hogate.
Notary Public.

And the Court having examined said report and being fully advised in the premises finds that said report ought be approved.

It is therefor ordered, adjudged and decreed by the Court that said report of sale be and the same is hereby in all things approved and confirmed. And now the said Guardian is ordered to report to the Court for examination and approval a deed of conveyance to the purchasers for the land so purchased by them of this Guardian.

And now the said Guardian comes and in obedience to the order of the Court presents to the Court for approval a deed of conveyance for the land so purchased by them, and the court having examined said deed and being fully advised in the premises approves said deed and endorses his approval thereon in these words;- Examined and approved in open Court and ordered delivered to the purchasers as an evidence of their title this October 5th. 1893.

R. R. Stephenson
Judge.

All of which is finally ordered, adjudged and decreed by the Court.
Attest David Hadley Clerk.

Be it remembered that on the 7th day of November 1893, the same being the 2nd day of the November term 1893 of the Hendricks Circuit Court, before the Hon. John V. Hadley, sole Judge thereof, proceedings were had in the words and figures following to-wit:-

Comes now Martin K. Gentry, Guardian of George Patterson, minor heir of James Patterson, and files a petition for the sale of real estate, which petition is in words and figures following towit

State of Indiana, Hendricks County ss.
In the Circuit Court November Term 1893.
In the matter of the guardianship
of George Patterson, minor of
James Patterson, deceased.

Martin K. Gentry, Guardian of George Patterson minor of James Patterson, deceased, respectfully shows to the Court that he ward has no personal property That he is the owner of the following described real estate in Hendricks County in the State of Indiana, towit:- a part of the North fractional half of the North west quarter of section three (3) township sixteen (16) north, and range one (1) east described as follows, to-wit, beginning at a stone eight (8) chains and five and three-fifths (5, 3-5) links west of the north east corner of the said north-west quarter; thence south seventeen (17) chains and six and two thirds (6, 2-3) links; thence west four (4) chains and three and two fifths (3, 2-5) links, thence north seventeen (17) chains and six and two-thirds (6, 2-3) links to the stone; thence east four (4) chains and two and four-fifths (2, 4-5) links to the place of beginning, containing six and eighty-eight hundredths (6. 88) acres more or less, which said real estate is all the property belonging to said ward. That said real estate came to said ward by descent from his father, James Patterson, deceased, and has been recently set apart to him in severalty in a partition proceeding in this Court between said heirs of James Patterson. That said parcel of real estate is not under fence and seprate from the parts surrounding it as set off to the other heirs so that the same can be rented for tillage or pasture at this time. That it would cost considerable money to put a substantial fence around said tract of land. That said land is not situated near any town so as to make the same

valuable either for rental or for sale, as a lot or parcel to itself and not connected with any other land. That the other heirs of said James Patterson are about to make a sale of their several parcels together to one individual, to him all of their interests in said real estate. And that the person purchasing these interests desires to purchase the interest of this said ward, and this petitioner believe that it will be to the best interest of said ward to sell said real estate at this time as an opportunity to sell the same seperately and independent of the other interests aforesaid is not likely to offer itself at any time, and that said tract of real estate in the present condition would be of very little if any value to said ward. That said ward is of the age of 18 years and that he lives with Charles Patterson. Wherefore said petitioner asks for an order of the Court directing him to sell said real estate at a private sale, without notice, to the highest and best bidder, and on such terms as to payment as the Court shall direct.

Martin K. Gentry.

Subscribed and sworn to before me this 7th day of November 1893.

Enoch G. Hogate.
Notary Public.

And the Court having inspected said petition and being fully advised in the premises, finds that the prayer of said petition ought to be granted and said real estate sold as prayed for in said petition. And the Court orders said guardian to cause said real estate to be appraised, and appoints J. D. Williams and Fielding Huddleston, two reputable freeholders in the neighborhood of said real estate to appraise the same.

And now comes said guardian and files the appraisement of said real estate as made by said appraisers showing the same to be appraised at 206.40 which appraisement is in the words and figures following:-

State of Indiana, Hendricks County ss;-

I, David Hadley Clerk of the Circuit Court of said County, certify that J. D. Williams and Fielding Huddleston of said County, have been appointed by said Court, Appraisers of the following real estate, to-wit: A part of the north fractional half of the north west

quarter of section 3 in township 16 north and range 1 east described as follows to-wit: Beginning at a stone 5 chains and 5 3/5 links west of the north east corner of said north west quarter; thence south 17 chains and 6 2/3 links; thence west 4 chains and 3 2/5 links; thence north 17 chains and 6 2/3 links; thence east 4 chains and 2 4/5 links to the place of beginning in Hendrick County and State aforesaid, part of the real estate of James Patterson deceased; and they are to report their appraisement at the present term thereof.

In witness whereof, I have hereunto set my hand, the 7th day of November 1893.

David Hadley Clerk.

State of Indiana Hendricks County ss:-

Personally appeared before me, E. S. Hogate a Notary Public of said County J. D. Williams and Fielding Huddleston the above named appraisers, and were sworn truly and impartially to appraise the property in the above certificate mentioned.

J. D. his mark Williams
Fielding Huddleston

Subscribed and sworn to before me, this 7th day of November 1893
Enoch S. Hogate N. P.

The undersigned, appointed to appraise the following real estate, to-wit: A part of the north fractional half of the north west quarter of section 3 in township 16 north and range 1 east, described as follows, to-wit, beginning at a stone 5 chains & 5 3/5 links west of the north east corner of said north west quarter; thence south 17 chains and 6 2/3 links, thence west 4 chains and 3 2/5 links; thence north 17 chains and 6 2/3 links; thence east 4 chains and 2 4/5 links to the place of beginning, a part of the property of James Patterson deceased, in Hendricks County and State of Indiana, having been duly sworn, report that after due examination of the premises, we are of opinion that said real estate is worth two hundred six and 4/100 Dollars.

J. D. his mark Williams
Fielding Huddleston

November 7th, 1893.

And now said guardian now files his bond with J. D. Williams

and Fielding Huddleston as his security in the sum of $413.00 which bond is approved by the Court, and which bond is in words and figures following, to-wit: (bond not now file). And the Court now further orders and directs said guardian to sell said real estate at a private sale for cash in hand for not less than the appraised value, said sale to be without notice and to make report thereof to this Court.

And now comes said guardian and files his report on the sale of said real estate, which report is in words and figures following to-wit:-

Comes now Martin K. Bentry, guardian of said George Patterson and respectfully shows the Court that conforming with the order of the Court herein he offered at a private sale, without notice for cash in hand, the following described real estate in Hendricks County in the State of Indiana, to-wit;- A part of the north fractional half of the north west quarter of section three (3) township sixteen (16) north and range one (1) east described as follows, to-wit, beginning at a stone eight (8) chains and five and three fifths (5, 3-5) links west of the north east corner of the said north west quarter; thence south seventeen (17) chains and six and two-thirds (6, 2-3) links; thence west four (4) chains and three and two-fifths (3, 2-5) links; thence north seventeen (17) chains and six and two-thirds (6, 2-3) links to the stone; thence east four (4) chains and two and four-fifths (2, 4-5) links to the place of beginning and containing six and eighty-eight hundredths (6.88) acres more or less, as the property of said minor. And Herschal E. Davis and Anna Davis offers therefor the sum of $206.40 dollars. And that being the highest offer received for said real estate and the appraised value thereof, the same is sold to said Herschel E. Davis and Anna Davis for said sum. And now the guardian bring the money into Court and asks the Court to approve said sale and offers said conveyance of real estate to said purchasers.

Martin K. Bentry

Subscribed and sworn to before me this 7th day of November 1893.

Enoch S. Hogate
Notary Public.

And the Court having examined said report, finds the same legal in all respects and conforming with the Court herein. And now the Court approves said sale and orders said guardian to present

for the inspection of the Court a deed duly acknowledging the conveying of said real estate to said purchaser.

And now comes said guardian and shows to the Court a deed duly executed and acknowledging the conveying of said real estate to said Herschel E. Davis which deed is in words and figures following to wit, (not on file) which deed is examined and approved in open Court this 7th day of November 1893. And the Court indorses his approval thereon in these words; "Examined and approved in open Court this 7th day of November 1893.

John V. Hadley, Judge."

And said guardian is ordered to deliver said deed to said purchaser in evidence of his title.

Attest David S Hadley
Clerk.

In the Matter of the Guardianship of Mf. Bertha Davis.

Be it remembered that on the 5th day of February 1894 the same being the 31st day of the January Term 1894 of the Hendricks Circuit Court, before the Hon. John V. Hadley, sole Judge thereof proceedings were had in the words and figures following to-wit;-

Comes now Eliza J. Carpenter guardian of said ward and files her petition for an order to exchange the real estate of her said ward, secondly described in said petition, for the equal value of real estate of one Eulalie Cooke in the said petition first described;-

State of Indiana, Hendricks County ss
To the January term A.D. 1894 of the Circuit Court of said County.

Estate of Mf. Bertha Davis, Minor heir of Robert T. Davis and Hallie Davis, deceased } Petition for an order to exchange Real Estate.

Eliza J. Carpenter, Guardian of said minor, shows to the Court that her said ward is the owner of the following described real estate situated in Hendricks County Indiana, towit,-

1st. The undivided one third (1/3) part of 66 and 19/100 acres in section one (1) township sixteen (16) north of range two (2) west as follows; Eight and 44/100 acres off of the west side of the north west quarter of the north east quarter of said section (1). Bounded as follows; Beginning at the north west corner of said quarter, running south seventy-seven (77) rods, thence east seventeen and 54/100 (17 54/100) rods thence north seventy-seven (77) rods to the north line of said section; thence west with said section line seventeen and 54/100 (17 54/100) rods to the place of beginning.

Also fifty seven and three fourths (57 3/4) acres in the north west quarter of said section (1) described as follows; beginning at the north east corner of said quarter, running south one hundred seventeen and a half (117 1/2) poles; thence west seventy-nine and one fourth (79 1/4) poles; thence north one hundred and seventeen (117) poles; thence east about seventy-nine and a fourth (79 1/4) poles to the place of beginning.

2nd. Also the undivided one twenty second (1/22) part of 425 32/100 less 45 1/2 acres due Edgar L. Davis as an advancement as shown by the administrator in his statement of the real estate, described as follows;

Part of the north east fractional quarter of section two (2)

township sixteen (16) north of range two (2) west described as follows. Commencing at the north east corner of said section (2) running west one hundred and sixty (160) rods; thence south ninety seven and 52/100 (97 52/100) rods; thence east one hundred and sixty (160) rods to the east line of said section (2); thence north ninety seven and 52/100 (97 52/100) rods to the place of beginning. (97 52/100 acres).

Also the south east quarter of section thirty-five (35) township seventeen (17) north of range two (2) west (160 acres).

Also the southeast quarter of the north east quarter of section thirty five (35) township seventeen (17) north of range two (2) west (40 acres).

Also thirteen (13) acres off of and across the south part of the north east quarter of the northeast quarter of the section thirty five (35) township seventeen (17) north of range two (2) west described as follows; commencing at north east corner of the south east quarter of the North east quarter of said section thirty-five (35) township seventeen (17), north of range two (2) west thence north twenty six (26) rods, thence west eighty (80) rods, thence south twenty six (26) rods, thence east eighty (80) rods to the place of beginning. Also part of the west half (½) of the south west quarter of section thirty-six (36) township seventeen (17) north of range two (2) west and described as follows; commencing at the south west corners of said section 36; thence north one hundred and sixty (160) rods; thence east seventy five (75) rods, thence South one hundred and sixty (160) rods; thence west seventy five (75) rods to the place of beginning except one half (½) acre out of the north east corner thereof heretofore deeded to Edel River Township for school purposes (74 ½ Acres).

And, also, the south east quarter of the south west quarter of section thirty-five (35) township seventeen (17) North of range two (2) west (40 acres).

That one Eulalie Cook of said County owns a like interest or part, as said ward, in all the above described real estate and that she will exchange so much of her interest in the 1st above described real estate of 66 9/100 acres, as would be of equal value to said ward's interest in the 2nd above described real estate of 425 32/100 acres.

That said exchange would greatly benefit the estate of said ward by getting all of her real estate together in one body

&c.,&c.. Said Guardian would therefor, ask the Court to appoint appraisers; that all of said Real estate may be appraised; that a fair and equitable exchange may be made.

Eliza J. Carpenter, Guardian.

Subscribed and sworn to before me this 3rd day of January 1894.

Samil T. Darnall
Clerk of the Putnam Circuit Court.

And it appearing to the Court from the evidence adduced in this cause, that said exchang would greatly benefit the estate of said ward, henby appointe Harvy G. Moore and Moses H. Rawlings to appraise all of said real estate described in said petition; that a fair and equitable exchange be made.

Come now the appraisers Harvy G. Moore and Moses H. Rawlings and make their report of appraisement of all the real estate described in said petition, in words and figures as follows:-

Be it remembered that on the 4th day of January 1894, it being the forth Judicial day of said term of said court the above Guardian filed her petition for an exchange of undivided parts of the following described real estate, situated in the County of Hendricks in the State of Indiana, towit:

First, sixty six and 19/100 (66 19/100) acres in section one (1) township sixteen (16) north of range two (2) west as follows; eight and 44/100 (8 44/100) acres off of the west side of the north west quarter of the north east quarter of said section (1) bounded as follows; beginning at the north west corner of said quarter, running south seventy-seven (77) rods; thence east seventeen and 54/100 (17 54/100) rods; thence north seventy seven (77) rods; to the north line of said section; thence west with said section line seventeen and 54/100 (17 54/100) rods to the place of beginning.

Also fifty seven and 3/4 (57 3/4) acres in the north-west quarter of said section (1), described as follows; Beginning at the north east corner of said quarter, running south one hundred seventeen and a half (117 1/2) poles thence west seventy nine and a fourth (79 1/4) poles; thence north one hundred and seventeen (117) poles

thence east about seventy-nine and a fourth (79¼) poles to the place of beginning.

Second: Four hundred twenty five and 32/100 (425 32/100) acres as follows; part of the north east fractional quarter of section (2) township sixteen (16) north of range two (2) west described as follows; Commencing at the north east corner of said section (2) running west one hundred and sixty (160) rods; thence south ninety seven and 82/100 (97 82/100) rods; thence east one hundred and sixty (160) rods to the east line of said section (2); thence north ninety-seven and 82/100 (97 82/100) rods to the place of beginning (97 82/100 acres).

Also the south-east quarter of section thirty five (35) township seventeen (17) north of range two (2) west (160 acres).

Also the southeast quarter of the north east quarter of section (35) township seventeen (17) north of range two west (2). (40 acres)

Also thirteen (13) acres off of and across the south part of the north east quarter of the north east quarter of section thirty five (35) township seventeen (17) north of range two (2) west, described as follows; Commencing at the north east corner of the south east quarter of the north west quarter of said section (35) township seventeen (17) north of range two (2) west; thence north twenty six (26) rods; thence west eighty (80) rods; thence south twenty six (26) rods; thence east eighty (80) rods to the place of beginning.

Also, part of the west half (½) of the south west quarter of section thirty-six (36) township seventeen (17) north of range two (2) west and described as follows; Commencing at the south west corner of said section (36) thence north one hundred and sixty (160) rods; thence east seventy five (75) rods; thence south one hundred sixty (160) rods; thence west seventy-five (75) rods to the place of beginning, except one half (½) acre out of the north-east corner thereof heretofore deeded to Eel River township for school purposes (74½ acres)

And, also, the south east quarter of the south west quarter of section thirty-five (35) township seventeen (17) north of Range two (2) west. (40 acres).

And the Court having seen and inspected said petition appoints, Harvy G. Moor and Moses H. Rawlings respectable free holders of the neighborhood, appraisers

to appraise said real estate.

Witness, David Hadley.

Clerk of said Court and the seal thereof this 6th day of February 1894.

David Hadley, Clerk.

State of Indiana, Hendricks County, ss;-

Before me the undersigned, a Clerk Circuit Court, in and for said County, personally came Harvy G. Moor and Moses H. Rawlings being first duly sworn, say they will honestly and impartially appraise, the within described real estate.

Moses Rawlings {Seal}
Harvy J. Moor {Seal}

Subscribed and sworn to before me this 6th day of February 1894.

David Hadley, Clerk.

We the undersigned appraisers appointed by the Hendricks Circuit Court to appraise the within described real estate, do say that the first described real estate of sixty six and nineteen hundredths (66 19/100) acres is worth in cash fifty dollars per acre, and that the second described real estate of four hundred twenty-five and thirty-two hundredths (425 32/100) acres is worth in cash fifty dollars per acre.

Moses Rawlings
Harvy H. Moor

Subscribed and acknowledged, this 6th day of February 1894
David Hadley Clerk.

And the said appraisers appointed by the Court to appraise all of said real estate described in said petition having made their report; Showing that the real estate of 66 19/100 acres therein first described is worth in cash fifty dollars per acre, and that the real estate of 425 32/100 acres therein secondly described is worth in cash fifty dollars per acre: and the administrator of the estate of Walter Davis deceased in his report having shown that the said ward is the owner of seventeen and one fourth acres of the real estate secondly described in said petition, the Court therefore orders said Guardian to execute to the said

Eulalie Cook a deed for all of said wards undivided interest in the secondly described real estate, as aforsaid & when she (Eulalie Cook) and her husband shall have executed to said ward a deed for seventeen and one fourth (17 1/4) acres of her (Eulalie Cooks) undivided interest in the real estate first described in said petition.

Comes now said Guardian with a deed executed by said Eulalie Cook and her husband, to said ward for seventeen and one fourth acres of her (Eulalie Cooks) undivided interest in the first described real estate of said petition; which being of equal value to said wards interest in the secondly described real estate of said petition the Court hereby approves the same.

And the said Eulalie Cook, also presents a deed executed by said Guardian to her (Eulalie Cook) for all of saids wards undivided interest in the real estate secondly described in said petition, which is also approved by the Court and the same ordered delivered to the parties.

Attest David Hadley Clerk.

Be it remembered that on the 15th day of January 1894 the same being the 14th day of the January Term 1894, of the Hendricks Circuit Court, before the Hon. John. V. Hadley, sole Judge thereof proceedings were had of record in said Court in the words and figures following towit:-

Comes now George H. Wilson, Guardian of the person and estate of Allen Taylor a person of unsound mind and file his petition herein asking an order for the sale of certain described real estate of his said ward therein described which petition is in words and figures following towit:-

State of Indiana, Hendricks County ss.
In the Hendricks Circuit Court.
January term 1894.
In the matter of the Guardianship
of Allen Taylor, of unsound mind.
Petition to sell Land.

The undersigned Guardian of said ward, shows to the Court that his ward is the owner of the following lands in Hendricks County Indiana to-wit- The west half of the north east quarter of section 34 township 14 N.R. 1west containing 80 acres and the east half of the west half of the south East quarter of section 27 township 14 north range 1west containing 40 acres in all one hundred and twenty acres 120A.

That all of the personal property that has come to his hands as such guardian is about four hundred and fifty dollars.

That he has expended all of said money in expenses for caring for said ward who is feeble and requires constant care, and attention etc.

That the said ward has no personal estate dependant upon the settlement of any estate or the execution of any trust, that the rental value of said Real estate is about one hundred and fifty dollars per annum. All of which appears from his inventory and reports herein.

That said ward is boarding at william taylors in Liberty township said County and State and is past eighty years of age, and as above referred to said ward is totally unable to contribute anything to his support by reason of age and infirmity, and it is necessary that assets should be

raised for the purpose of caring for said ward and said Guardian says there is indebtedness against said ward over and above the assetts now on hands in the neighborhood of about seven hundred dollars. Five hundred of which is a Judgment rendered in the Hendricks Circuit Court at its November Term 1893 in favor of Enos M. Taylor for previous care and support of said ward.

And said Guardian says that a portion of said lands ought and it is necessary that it should be sold to satisfy said debts and to raise assetts for the support of his ward as aforesaid. He also shows that at least forty acres should be sold, and that the last named tracts to wit,- the E ½ of the E ½ of the S.E. ¼ of Sect 27 Tp 14 N.R 1 W. is so situated that it can be best sold, and that the same should be sold at private sale, to advantage and he asks for and order to sell the said last named tract accordingly.

G.W. Wilhoit

Subscribed and sworn to before me this 15th day of December 1893.

Geo. C. Harvey
Notary Public

And the Court being sufficiently advised in the premises finds the allegations of the petition to be true and that the land therein described therein be sold for the purposes set forth in said petition, and the Court now appoints Thomas E. Hamerick and Benjamin P. Hazzlewood two reputable and competent appraisers to appraise the same, and now comes said appraisers and file their appraisement herein in these words,

State of Indiana, Hendricks County,

We, Thomas E. Hamerick and Benj. P. Hazzlewood swear that we will honestly appraise the real estate of Allen Taylor a person of unsound mind, which may be exhibited to us.

T. E. Hamerick. }
B.P. Hazlewood } Appraisers.

Subscribed and sworn to, this 16th day of January 1894. before me.

Geo. C. Harvey, N.P.

An Inventory of a part of the real estate of Allen Taylor, a person of unsound mind, and described as follows, to-wit, The east half (E ½) of the west half (W ½) of the south east quarter of section 27 township 14 north of range one (1) west containing 40 acres more or less and appraised by us at $1200.

T. E. Hamrick }
B.P. Hazlewood. } Appraisers.

which appraisement is approved by the court. And now comes said Guardian and files his additional bond herein for the sale of said real estate with Benjamin P. Hazzlewood as surety, which bond is now examined by the court and his written approval endorsed thereon which bond and approval are in these words.

Know all men by these presents, that we George W. Wilhoit, Benjamin P. Hazzlewood are bound unto the state of Indiana, in the penal sum of two thousand five hundred dollars, to pay which we jointly and severally bind ourselves, our heirs, executors and administrators.

Sealed and dated, the 16th day of January 1894.

The condition of the above obligation is, that as the above bound George W. Wilhoit guardian of the Estate of Allen Taylor of unsound mind, has been ordered by the Circuit Court of Hendricks County, to sell certain real estate of said ward.

Now, if the said George W. Wilhoit will faithfully discharge the duties of his trust according to law, then the above obligation is to be void, else to remain in full force in law.

G.W. Wilhoit (Seal)
B.P. Hazlewood. (Seal)

Approved the 16th day of January 1894.

John V. Hadley, Judge
Circuit Court Hendricks County,

And the Court finds that said premises should be sold at private sale by said Guardian by first giving three weeks notice by publication in a news paper of general circulation printed and published in Hendricks County Indiana of the time and place of said sale and that said sale be made upon the following terms:-

One third of the purchase price, cash in hand, one third

in six and one third in twelve months, purchaser giving notes with approved security with 6% interest from date, or owing to the necessity of said sale the said guardian is empowered to sell said real estate for cash in hands for any amount exceeding one third, taking purchasers note with approved surety waiving valuation or appraisement laws with six percent interest from date, the deferred payments if any not to exceed twelve months in duration. All of which is now ordered and decreed by the Court.

And afterwards to wit on the 10th day of February 1894 the same being the 40th day of January term 1894 of the Hendricks Circuit Court, before the Hon. John K. Hadley, sole Judge thereof proceedings were had of record of said cause in said Court in the words and figures following towit,-

Comes now George H. Milhon, guardian of Allen Taylor a person of unsound mind, and represents and shows to the Court that in pursuance to the orders of this Court herein heretofore made he sold the real estate of his said ward and now he comes by Brill & Harry his attorneys, and files his report of such sale duly verified which report is in words and figures following to-wit;-

Comes now George H. Milhon the duly qualified guardian of said Allen Taylor and reports to the court, that in pursuance to the order of the court made on the 18th day of January 1894, he caused three weeks publication of the time place and terms of sale in the Hendricks County Gazett a weekly news paper of gurral circulation printed and published in said County proofs of which are filed herewith and are in these words.

Notice is hereby given that the undersigned guardian of Allen Taylor, a person of unsound mind will on, Saturday, February 3rd, 1894 offer at sale at private sale to the highest bidder, for not less than its appraised value the following real estate belonging to said ward towit, The east half of the west half of the south east quarter of section 21 township 14 north range 1 west, containing 40 acres more or less, all in Hendricks county and State of Indiana.

Said sale will be made at the residence of said guardian near the aforesaid land and will be continued from day to day until sold.

Terms;- One third purchase price cash in hand. One third

in six and one third in twelve months or at option of said guardian bids will be received for more than one third in cash and any residue remaining unpaid to be secured by note with approved surety waiving valuation and appraisement laws with six percent interest per annum from date, said deferred payment not to exceed twelve months from date of sale. All of which was ordered by the Hendricks Circuit Court at its January Term 1894.

George H. Milhon
Guardian.

State of Indiana, Hendricks County, ss;

Personally appeared befor the undersigned H. C. King publisher of the Hendricks County Gazette, a weekly newspaper of general circulation, printed and published in Danville, in the county aforsaid, who, being duly sworn, upon his oath said that the notice, of which the attached is a true copy, was duly published in said paper for 3 weeks successively, the first of which publications was on the 18th day of January 1894, and the last on the 1st day of February 1894.

H. C. King.

Subscribed and sworn to befor me this 10th day of February 1894.

Geo. C. Harry
Notary Public.

And the Court is further informed that on the 3rd day of February 1894 the time fixed for the sale thereof he offered said real estate for sale at the place mentioned in said notice and failing to receive a satisfactory bid therefor he continued to offer the same for sale until the 6th day of February 1894 at which time Jerrmiah T. Craven did bid therefor the sum of twelve hundred dollars, and that being the highest and best bid received by said Guardian and being equal to the appraised value the same was openly struck off to Jerrmiah T. Craven by said guardian and said Jerrmiah T. Craven paid down in cash therefor the sum of seven Hundred dollars, and executed his certain promissory note for five hundred dollars due in one year from date with six per cent interest per annum from date until paid and attorneys' fees with

T. H. Craven as surety which note was accepted by said Guardian. And now comes said guardian and exhibits to the Court said sum of seven hundred dollars in cash and said note for the inspection of the Court, and also presents in open court his deed to the following lands to wit: The east half of the west half of the south east quarter of section twenty seven (27) township fourteen (14) north range one (1) west containing 40 acres and he asks the Court to approve said sale and deed.

George H. Wilson.

Subscribed and sworn to before me this 16th day of February 1894.

Geo. C. Harvey
Notary Public.

And the court having duly examined the report and heard the evidence of the said guardian taken in open court and having inspected the cash and notes as shown received by said guardian. Now approves said sale and the same is in all things approved and confirmed. And the Court having found that the said sale was in all things in conformity to law and the orders of the Court now orders said Guardian to deliver to the purchaser Jeremiah T. Craven his guardians deed for the lands mentioned in said petition and report.

And now said Guardian presents to the court for his approval a deed of conveyance to said Jeremiah T. Craven for the following described real estate.

"The east half of the west half of the south east quarter of section 27, township 14 north range west containing 40 acres more or less."

And the court having examined said deed and having due proof of notice of sale filed, now approves and confirms said deed by writing thereon these words, "Examined and approved in open court this day of February 1894 John L. Hadley Judge Hendricks Circuit Court, and the same is ordered, and is delivered to the purchaser in open court. All of which is now fully adjudged and decreed by the court. Attest David Hadley Clerk.

Christopher C. McDaniel et al. vs. Nancy M. McDaniel et al.

Be it remembered. That on the 18th day of July. 1895. a Petition for the sale of real estate was filed in the office of the clerk of the Hendricks Circuit Court. which said petition is as follows. to-wit:

"State of Indiana. Hendricks County. ss:
Christopher C. McDaniel.
Administrator of the Estate of
George M. McDaniel. dec'd — Hendricks Circuit Court.
vs. — September Term. 1895.
Nancy M. McDaniel.
Mollie McDaniel.
James McDaniel.
Ora McDaniel.

The petitioner shows to the Court that he is the duly and legally appointed, qualified and acting administrator of the Estate of George M. McDaniel. who died intestate in the county of Hendricks and State of Indiana. on the 6th day of June. 1895. He also shows that the defendants are the heirs at law and only heirs of the said decedent; that Nancy M. McDaniel is the widow of said decedent and the other defendants are his children and are minors under the age of twenty-one years.

He further shows that the personal estate of said decedent amounts to $69.25 as shown by the Inventory and Appraisement on file; that the indebtedness of said estate is as follows:

To the Widow her absolute claims	$ 500.00
Dr. Brant. Medical Bill.	70.00
Meroux Bros. Mdse.	2.50
John Morgan.	5.00
Cope & Hunt.	10.00
George Peavey.	2.90
Pettigo	5.77
M. H. Smith.	2.25
Funeral Expenses.	96.50
Washing Machine Co.	44.50
Estimated Cost of Administration	75.00
Total Liabilities.	$ 812.50

leaving a deficiency of personal property to pay the liabilities of decedent in the sum of $743.25. The administrator shows to the Court that no claims have been filed against said estate. but the above are valid and just claims. and ought to be paid.

He also shows that the decedent died the owner in fee simple of the following real estate in Hendricks County, in the State of Indiana, to-wit: The North half of the Northwest quarter of the Southwest quarter of Section twenty-one (21). Township seventeen (17) North, in Range one (1) East, containing twenty (20) acres, more or less two-thirds of which real estate is liable to be made assets for the payment of the debts of the decedent, the undivided two-thirds of which is of the probable value of $500.00

Wherefore he asks that on a hearing he may be ordered to sell the undivided two-thirds of said real estate to make assets for the payment of the indebtedness of said decedent.

Christopher C. McDaniel.
Administrator.

Subscribed and Sworn to before me this 16th day of July. 1875.
Joseph M. Tolle.
Notary Public.

And afterwards, to-wit: on the 2nd day of September. 1875. the same being the 1st judicial day of the September Term. 1875. of the Hendricks Circuit Court. before the Hon. John V. Hadley, sole Judge thereof. proceedings were had of record in said cause, as follows, to-wit:

"Comes the Administrator. Christopher C. McDaniel. by Hoyate & Clark. his attorneys, and shows to the court the writ of Summons issued herein to the Sheriff of Hendricks County for the defendants. Mollie McDaniel. James McDaniel and Ora McDaniel. together with the Sheriffs return endorsed thereon. From which writ and return it appears that said summons had been personally served on the said defendants at least ten days before the first day of the present term of this court.

And it appearing to the court that Mollie McDaniel. James McDaniel and Ora McDaniel are infants under the age of twenty-one years, the court appoints Geo. C. Harvey Guardian ad litem for said infants. And now comes the said Geo. C. Harvey as such Guardian ad litem and files his answers to the petition herein. in the following words:

"Geo. C. Harvey. appointed by the court Guardian ad litem for the infant defendants. Mollie McDaniel. James McDaniel and Ora McDaniel. for answer to the petition herein. says that he is not informed of any defense to the said petition. but he demands a full investigation. and denies each and every allegation in the petition contained.

George C. Harvey.
Guardian ad litem."

And the defendant. Nancy M. McDaniel. also files her own answer. as follows:

"The defendant. Nancy M. McDaniel. for answer to the petition herein. says that she is the widow of the decedent. George W. McDaniel. and that she is over the age of twenty-one years. She also says that she is well acquainted with the matters and things set out in the petition. and she denies each and every allegation in the said petition, and demands proof.

Nancy M. McDaniel."

And this cause being at issue. the issues joined are submitted to the court. without the intervention of a jury. And after hearing the evidence and being fully advised in the premises. the court finds and finds that George W. McDaniel died intestate in the County of Hendricks. on the 6th day of June. 1870. the owner in fee simple of the real estate described in the petition herein, and leaving as his heirs at law and only heirs the defendants Nancy M. McDaniel. his widow. and Mollie McDaniel. James McDaniel and Ora McDaniel. his children. as his heirs and only heirs at law.

The court also finds that the personal estate of the decedent. as shown by the Inventory on file. amounts to the sum of $69.25 and that the indebtedness of the said estate amounts to about the sum of $812.50. including the balance of the $500.00 claim of the widow leaving a deficiency of personal assets to pay the debts of the decedent in about the sum of $743.25.

The court also finds that the undivided two-thirds of the real estate described in the petition is liable to be made assets to pay the debts of the deceased. And the court finds that said real estate ought to be sold to pay the said indebtedness.

And now said administrator files an inventory and appraisement of said real estate. From which it appears that the undivided two-thirds thereof was appraised by Charles B. Walker and Henry Kirk. two reputable householders and freeholders of the County of Hendricks. at the sum of $40.00 per acre. The administrator also files a bond in the sum of $1600.00 with Ira McDaniel as his surety. which bond and the security thereto are approved by the court. Said bond reads as follows:

"Know all men by these presents. That We. Christopher C. McDaniel and Ira W. McDaniel are bound unto the State of

Indiana in the penal sum of sixteen hundred dollars, to pay which we jointly and severally bind ourselves, our heirs, executors and administrators.

The condition of the above obligation is, That as the above bound Christopher C. McDaniel, administrator of the Estate of George W. McDaniel, deceased, has been ordered by the Circuit Court of Hendricks County, to sell all the real estate of George W. McDaniel.

Now if the said Christopher C. McDaniel will faithfully discharge the duties of his trust according to law, then the above obligation is to be void, else to remain in full force in law.

Christopher C. McDaniel. (Seal)
Ira W. McDaniel. (Seal)

Approved the 2nd day of Sept. 1895.

John V. Hadley. Judge.

It is therefore ordered, adjudged and decreed by the court that the said administrator proceed to sell at private sale, without notice, of the time, place, terms or conditions of sale, the following described real estate in Hendricks County, in the State of Indiana, to-wit: The undivided two-thirds of the North half of the Northwest quarter of the Southwest quarter of Section twenty-one (21), Township seventeen (17) North, in Range one (1) East, containing twenty (20) acres, more or less. And that he sell the same for one-third cash in hand on the day of sale, one-third in six months and one-third in twelve months from the day of sale. And the administrator is ordered to report his proceedings to this Court for confirmation."

And afterwards, to-wit: on the 7th day of November, 1895, the same being the 4th judicial day of the November Term, 1895, of said Court, before the same Honorable Judge thereof, proceedings were had of record in said cause, in the words and figures following, to-wit:

"Comes the petitioner herein, by Hoyate & Clark, his attorneys, and asks leave of the court and is granted leave to file a supplemental petition herein, which supplemental petition reads as follows:

The administrator now comes with his supplemental petition and shows to the court that since the order of sale was granted herein, the widow of the decedent, to-wit: Nancy M. McDaniel, who has given birth to a son, viz: The above named George W. McDaniel, who is a child of the said George W. McDaniel, deceased.

The petitioner herein says that as the said defendant, George W. McDaniel was not a party to these proceedings at the time

the order of sale was made, his interests and rights in the land ordered sold was not cut off; but he shows that all of the real estate ordered sold, being all of the real estate of George W. McDaniel at the time of his death, will have to be sold to pay off the indebtedness and liabilities of the said estate of the said decedent.

And he now comes and asks permission to file his supplemental petition, and prays that the said George W. McDaniel may be summoned into court and a Guardian ad litem appointed for him to show why the order of the Court heretofore made for a sale of decedent's real estate should not stand and be operative and enforced the same to all intents and purposes as if the defendant, George W. McDaniel had at first been a party to these proceedings.

And the petitioner asks for all proper relief in the premises to which he is entitled.

Christopher C. McDaniel.
Administrator.

Subscribed and sworn to before me this 6th day of November, 1895.

(Seal)

Joseph M. Tolle.
Notary Public.

And the court orders the clerk of this court to issue a summons to the Sheriff of Hendricks County, Indiana, for the infant defendant, George W. McDaniel, and make the same returnable on the 19th day of November, 1895.

And now, the clerk, as he is ordered, issues said summons in accordance with the above order.

And further proceedings herein are continued until the 19th day of November, 1895."

And afterwards, to-wit: on the 19th day of November, 1895, being the 14th judicial day of the November Term, 1895, of the Hendricks Circuit Court, before the same Honorable Judge thereof, proceedings were had of record in said cause, in the words and figures following, to-wit:

"Comes the petitioner herein, by Hoyate & Clark, his attorneys, and shows to the court the summons issued herein on the supplemental petition, for the infant defendant, George W. McDaniel, from which summons and the return thereon endorsed it appears that the infant defendant George W. McDaniel had been served with summons at least ten days before the 19th day of November, 1895, on which day, by an endorsement on the supplemental Complaint herein process is made returnable. And the infancy of the said George W. McDaniel is suggested to the court, whereupon the

Court appoints Thad S. Adams. an attorney at this bar. Guardian ad litem for said infant defendant. And now the said Guardian ad litem as such. files his answer. as follows:

"Comes now Thad S. Adams. appointed by the Court Guardian ad litem for the infant defendant. George W. McDaniel. herein. and for answer to the petition says he is not advised of any defense to the petition. but denies each and every allegation therein contained.

Thad S. Adams.

Guardian ad litem."

And now the issues joined on the supplemental petition are submitted to the Court for hearing. And after hearing the evidence. the Court finds the allegations of the supplemental petition to be true. and also finds that it is necessary to sell the undivided two-thirds of the real estate herein described to make assets to pay the debts of the decedent.

It is therefore ordered. adjudged and decreed by the court that the order of sale heretofore made in this estate. be. and the same is hereby confirmed. and that the interest of the defendant. George W. McDaniel. be sold the same as if he had originally been a party to these proceedings. And the administrator is ordered to make said sale on the terms heretofore made by the court.

And comes the administrator herein and presents to the Court and files a report of sale herein which report is in the words and figures following. to-wit:

"Christopher C. McDaniel. Administrator of the Estate of George W. McDaniel. deceased. reports to the court that in pursuance of the order made at the September Term. 1895. of this Court. he offered the real estate hereinafter described. for sale at private sale. without notice of the time. place. terms or conditions of sale. and on the 30th day of October. 1895. Nancy M. McDaniel offered the sum of Two hundred and thirty three dollars and thirty four cents ($233.34) for the following real estate in Hendricks County. in the State of Indiana. to-wit: The undivided two-thirds of the North half of the Northwest quarter of the Southwest quarter of Section twenty-one (21). Township seventeen (17) North. in Range one (1) East. containing twenty (20). acres. more or less. being the same real estate described in the order of sale herein. And the sum so offered being the full appraised value of said real estate. and no one offering more. I sold the said real estate to the said Nancy M. McDaniel for the above sum.

And now the purchaser satisfies the full amount of his

bid by accepting the administrator with the balance of his claim of $540.00 and paying the balance in cash. And the administrator shows to the court that the order of sale herein provides for one-third cash. one-third in six months. and one-third in twelve months. and he asks that said order be now so modified that he be permitted to receive all of the purchase price at this time.

And he asks that this report be approved and he be ordered to make a deed to the purchaser.

Christopher C. McDaniel.

Administrator."

Subscribed and sworn to this 19th day of November. 1895.

James L. Clark

Notary Public."

And the court having examined the said report and being fully advised in the premises. finds that said sale so made and reported. ought to be approved. and that the terms of sale ought to be modified so that the administrator can receive the full amount of the purchase money at this time.

It is therefore ordered. adjudged and decreed by the court that the sale so made and reported be. and the same is hereby in all things approved and confirmed. and the order of sale heretofore made be. and the same is hereby modified so that the administrator can receive the purchase money at this time. and his act in receiving said purchase money is hereby ratified and confirmed.

And now the administrator is ordered to report to the court forthwith a deed of conveyance to the said purchaser for the real estate so purchased by her. And now in pursuance to the order of the court the said administrator brings into court a deed of conveyance made to the said Nancy M. McDaniel. and the court having examined the said deed. approves the same and endorses his approval on the same in these words: "Examined and approved in open court and ordered delivered to the purchaser as an evidence of her title. John V. Hadley. Judge."

All of which is finally ordered. adjudged and decreed by the court."

Attest:

David Hadley. Clerk.

Estate of Grandison Ballard, deceased.

Be it Remembered, That heretofore, to-wit: on the 20th day of March, 1894, the same being the 14th judicial day of the March Term, 1894, of the Hendricks Circuit Court, before the Honorable John V. Hadley, sole Judge thereof, proceedings for the sale of real estate were had in the cause of

John T. Jones, Admr. of the Estate of Grandison Ballard, deceased.
vs.
William Ballard.
Urban G. Ballard.
Emma J. Culbertson.
Mary E. Leadbetter.
Charles L. Ballard.
Wilma G. Ballard.
Ella M. Ballard.
Anna Ballard.
The Aetna Life Insurance Company, Hartford, Conn.

No. 1249.

"Comes the plaintiff and petitioner herein by Hogate & Clark, his attorneys, and files a complaint herein for the sale of the real estate of the decedent to pay his debts, which complaint has an endorsement thereon as to the time of the return of process herein. Said complaint and said endorsement are in the words and figures following, to-wit:

'The plaintiff, as administrator of the Estate of Grandison Ballard, deceased, shows to the court that said decedent departed this life intestate on the 8th day of November, 1893, leaving no widow, but leaving the defendants, William Ballard, State of Washington; Urban G. Ballard, Emma J. Culbertson, Mary L. Leadbetter, Charles L. Ballard, Wilma G. Ballard, Ella M. Ballard, and Anna Ballard, his children, as his heirs at law and only heirs him surviving.

The administrator further shows to the court that said Grandison Ballard died the owner in fee simple of the following real estate in Hendricks County, in the State of Indiana, to-wit: The West half of the East half of the Southeast quarter of Section twenty (20), Township sixteen (16) North, in Range two (2) East, containing forty (40) acres. Also four (4) acres off of the North end of the West half of the Southeast quarter of Section twenty (20), Township sixteen (16)

North, in Range two (2) East. Also commencing at the Southwest corner of the East half of the Northeast quarter of Section twenty (20), Township sixteen (16) North, in Range two (2) East; thence running East forty (40) rods to the center of the said half quarter Section; thence North twenty-four (24) rods and two (2) feet to the right of way of the Indiana, Bloomington and Western Railway; thence Westwardly along the said Railroad to the West line of said East half of said quarter Section; thence South forty-eight (48) rods and five (5) feet to the place of beginning, containing nine and one-half (9½) acres, more or less. Also ten (10) acres in the Southeast corner of the East half of the Northwest quarter of Section twenty (20), Township sixteen (16) North, in Range two (2) East, as follows: Beginning at the Southeast corner of said quarter Section; running thence North forty (40) rods; thence West forty (40) rods; thence South forty (40) rods; thence East forty (40) rods to the beginning, containing ten (10) acres, and in all sixty-three and one-half (63½) acres, more or less, which land is of the probable value of $2540.00 and exclusive of a mortgage lien hereinafter mentioned, is of the probable value of $1600.00.

The administrator further shows that the personal estate of the decedent which has come to the possession or knowledge of the administrator amounts to the sum of Eight hundred and twenty-four dollars and seventy-five cents ($824.75.)

That there has been claims filed and allowed against the Estate as follows:

In favor of Asa O. Reese,	229.00
" " " J. F. Seiberling	87.26
Total claims filed and allowed,	316.26
That there is a claim of	411.00
pending against said Estate in favor of Charles L. Ballard	
That there are other claims against said Estate not filed in court, but which the administrator believes are valid claims, as follows:	
In favor of Dr. Wall,	40.75
" " " J. F. Lingeman,	9.52
" " " M. F. Terrell,	13.00
" " " Dr. Reade	11.75
Funeral Expenses,	79.00
In favor of Dr. Reese	16.00
Taxes for the year 1893,	36.90
Expenses of administration, estimated	200.00

And a mortgage on all said real estate of $900.00
given by said decedent Dec. 31st. 1892. to the Aetna Life Insurance
Company of Hartford. Conn, due Jany 1st. 1898. with interest at six
per cent. payable annually. which interest is evidenced by five interest
notes for $54.00 each. payable Jan. 1st. 1894. Jan. 1st. 1895. Jan.
1st. 1896. Jan. 1st 1897. and 1898. respectively. and said mortgage was
duly recorded in Mortgage Record No. 27. at page 93. in the Recorder's
Office of Hendricks County. in the State of Indiana.

And the administrator says that there appears to be a deficiency
of the personal estate to pay the debts of decedent. including said mort-
gage and expence of administration. in about the sum of $1200.00. and
that it will be necessary to sell said real estate. or a portion thereof.
to make funds to pay the debts of said estate.

Wherefore the administrator prays that the process of the court
may issue. and that on the hearing the court will order said real estate
or a portion thereof. sold to pay and satisfy said indebtedness. And
the administrator asks for all proper relief in the premises.

John T. Jones.
Administrator.

Subscribed and sworn to before me this 19th day of March. 1894.
(Seal)
Joseph M. Toller.
Notary Public.

The Clerk will issue a notice for publication herein as to the
defendants William Ballard and The Aetna Life Insurance Company of
Hartford. Conn, Also issue a summons to Marion County for Emma
J. Culbertson; also a summons to Putnam County for Mary E.
Leadbetter; also a summons to Hendricks County for Urban G. Ballard.
Charles L. Ballard, Wilma G. Ballard. Ella M. Ballard. and Anna
Ballard. and make all process returnable on the 7th day of May. 1894
being the first day of the May Term. 1894.

Hogate & Clark.
Attys for Admr.

Issue process to the Sheriff of Putnam Co. for Ella M. Ballard. and make the same returnable
May 14. 1894. being 7th day of May Term. 1894

Hogate & Clark. Attys.

And now the petitioner prays the court that process may
issue in this cause in accordance with the indorsement on the
petition.

Whereupon. the court now orders the clerk of this court
to issue process in accordance with the indorsement on said

petition. and make the same returnable as per said indorsement.
and further proceedings are continued.

And afterwards. to-wit. on the 14th day of May. 1894. being
the 7th judicial day of the May Term. 1894. of the Hendricks Circuit
Court. before the Hon. John R. Hadley. sole Judge thereof. proceed-
ings were had of record in said cause. in the words and figures
following. to-wit:

"Comes the administrator herein. by Hogate & Clark. his attor-
neys. and shows to the court and files the affidavit of Julius S. Ho-
gate. editor of the Hendricks County Republican. a public weekly
newspaper of general circulation printed and published in the County
of Hendricks. and State of Indiana. from which affidavit it ap-
pears that a notice of the pendency of the petition herein had been
given in said newspaper for three weeks in succession. the first of
which publications was on the 22nd day of March. 1894. and the
last on the 5th day of April. and all of said publications were had
at least ten days before the 7th day of May. 1894. on which day. by
an indorsement in writing on the complaint herein the said notice
was made returnable. Said affidavit is in the words and figures
following. to-wit:

'Notice of Petition to Sell Real Estate.

Probate Cause No. 1249.

John T. Jones. Administrator of the Estate of Grandison Ballard.
deceased. vs. William Ballard et al.

In the Circuit Court of Hendricks County. Indiana. May
Term. 1894.

To William Ballard and The Aetna Life Insurance Com-
pany. of Hartford. Connecticut.

You are severally hereby notified that the above named
petitioner. as administrator of the Estate aforesaid. has filed in the
Circuit Court of Hendricks County. Indiana. a petition making
you defendants thereto. and praying therein for an order and decree
of said Court authorizing the sale of certain real estate of said dece-
dent. and in said petition described. to make assets for the payment
of the debts and liabilities of said estate; and that said petition
so filed and pending is set for hearing in said Circuit Court. at
the Court House in Danville. Indiana. on the first judicial
day of the May Term. 1894. of said Court. the same being the
7th day of May. 1894.

Witness. the clerk and seal of said Court this

20th day of March. 1894.

David Hadley. Clerk

State of Indiana. Hendricks County. ss:

Personally appeared before the undersigned. Julian S. Hogate. editor of the Hendricks County Republican. a public weekly newspaper of general circulation. printed and published in Danville. in the County aforesaid. who being duly sworn. upon his oath. saith that the notice. of which the attached is a true copy. was duly published in said paper. for 3 weeks successively. the first of which publications was on the 22nd day of March. 1894. and the last on the 5th day of April. 1894.

Julian S. Hogate.

Subscribed and sworn to before me this 27th day of April. 1894.

David Hadley. Clerk.

And the said administrator also shows to the court the summons issued herein to the Sheriff of Hendricks County. from which it appears that a summons had been served on the defendants. Urban G. Ballard. William A. Ballard. Charles L. Ballard and Anna Ballard. at least ten days before the 7th day of May. 1894. on which day. by an indorsement on the petition herein process is made returnable. Said Summons and the Sheriffs return are as follows:

State of Indiana. Hendricks County. ss:

The State of Indiana to the Sheriff of Hendricks County - Greeting:

You are hereby commanded to summon Urban G. Ballard. Charles L. Ballard. Wilma A. Ballard. Ella M. Ballard and Anna Ballard. to appear in the Circuit Court of Hendricks County. before the Judge thereof. on the 7th day of May. 1894. being the first day of the May Term. held in the Court House in Danville. beginning on the first Monday of May. 1894. to answer the petition of John T. Jones. Administrator of the Estate of Grandison Ballard. deceased. wherein he prays for the sale of the real estate of said decedent to make assets to pay his debts. and of this writ make due return.

Witness. the clerk of said Court. and the seal thereof hereunto affixed at my office in Danville. Indiana. this 20th day of March. 1894.

David Hadley.

Clerk of Hendricks Circuit Court.

Came to hand March 20th 1894. Served as commanded. by reading to and within the hearing of the within named Urban G. Ballard. and Wilma A. Ballard. and by leaving a true copy of the within at the last and usual place of residence of Charles L. Ballard and Anna Ballard. And Ella M. Ballard not found in my Bailiwick.

This the 3rd day of April. 1894.

John T. Taylor. Sheff.

And the administrator also shows to the court the two summonses issued to the Sheriff of Putnam County. from which it appears that Mary E. Leadbetter and Ella M. Ballard had been duly served with process. Mary E. Leadbetter at least ten day before the 7th day of May. 1894. and Ella M. Ballard ten day before the 14th day of May. 1894. on which days by endorsement on the petition herein the said summonses were made returnable. Said Summonses are in the words and figures as follows:

The State of Indiana. Hendricks County. ss:

The State of Indiana. to the Sheriff of Putnam County - Greeting:

You are hereby commanded to summon Mary E. Leadbetter to appear in the Circuit Court of Hendricks County. before the Judge thereof. on the 7th day of May. 1894. being the first day of the May Term. held in the Court House in Danville. beginning on the first Monday of May. 1894. to answer the petition of John T. Jones. Administrator of the Estate of Grandison Ballard. deceased. wherein he prays for a sale of the real estate of said decedent to make assets to pay his debts. and of this writ make due return.

Witness. the clerk of said Court. and the seal thereof hereunto affixed at Danville. Indiana. this 20th day of March. 1894.

David Hadley.

Clerk of Hendricks Circuit Court.

Served this summons by reading the same to and in the hearing of the within named Mary E. Leadbetter. This 22nd day of March. 1894.

F. M. Eldridge.

Sheriff Putnam County.

The State of Indiana. Hendricks County. ss:

The State of Indiana. to the Sheriff of Putnam County - Greeting:

You are hereby commanded to summon Ella M. Ballard to appear in the Circuit Court of Hendricks County. before the Judge thereof. on the 14th day of May. 1894. being the 7th day of the May Term. held in the court house in Danville. beginning on the first Monday of May. 1894. to answer the petition of John T. Jones.

Administrator of the Estate of Grandison Ballard. deceased. wherein he prays for the sale of the real estate of said decedent to make assets to pay his debts. and of this writ make due return.

Witness. the Clerk of said Court. and the seal thereof. hereunto affixed at Danville. Indiana. this 2nd day of May. 1894.

Seal

David Hadley.

Clerk of Hendricks Circuit Court.

I served the within summons by reading to and in the hearing of the within named Ella M. Ballard. This May 3rd. 1894.

Francis M. Gladwell. Shff.

By C. Gladwell. Deply.

The administrator also shows to the court that a summons was issued to Sheriff of Marion County. Indiana. from the return on which it appears that Emma J. Culbertson and The Aetna Life Insurance Company by Thomas C. Day. Agent. were duly served with summons herein at least ten days before the 7th day of May. 1894. on which day by an indorsement on the petition herein summons herein on said parties was made returnable. Said summons and return are as follows:

'The State of Indiana. Hendricks County. ss:

The State of Indiana. to the Sheriff of Marion County - Greeting:

You are hereby commanded to summon Emma J. Culbertson. The Aetna Life Insurance Company of Hartford. Connecticut. to appear in the Circuit Court of Hendricks County. before the Judge thereof on the 7th day of May. 1894. being the first day of the May Term. held in the Court House in Danville. beginning on the first Monday of May. 1894. to answer the petition of John T. Jones. Administrator of the Estate of Grandison Ballard. deceased. wherein he prays for the sale of the real estate of said decedent to make assets to pay his debts. and of this writ make due return.

Witness. the Clerk of said Court. and the seal thereof. hereunto affixed at Danville. Indiana. this 30th day of March. 1894.

Seal

David Hadley.

Clerk of Hendricks Circuit Court.

Came to hand March 21. 1894. and on March 22nd. 1894. served by reading and copy to Emma Culbertson; same day served on The Aetna Life Insurance Company of Hartford. Connecticut. by reading and copy to Thomas C. Day. agent. he being the highest officer of said Company found in my Bailiwick.

Robert F. Emmett.

Sheriff Marion County.'

And the said William Ballard. Osban G. Ballard. Emma J. Culbertson. Mary E. Leadbetter. Charles L. Ballard and The Aetna Life Insurance Company failing to appear and answer the petition herein. they are each now three times loudly called. but come not. and herein wholly make default. And the infancy of Ella M. Ballard and Anna Ballard being suggested to the Court. the Court now appoints Hugh H. Hadley. an attorney at this bar. Guardian ad litem for the said infant defendants. And now comes the said Hugh H. Hadley as such Guardian and files an answer as follows:

'Comes now Hugh H. Hadley. an attorney at this bar. appointed Guardian ad litem for the infant defendants. Ella M. Ballard and Anna Ballard. and for answer to the petition herein says. he is not advised of any defense to the cause of action herein. but he. as such Guardian denies each and every allegation contained in the petition herein. and demands proof.

Hugh H. Hadley.

Guardian ad litem.'

And now this cause is submitted to the Court for trial. finding and decree. on the petition. summons. answer of the Guardian ad litem and the default of the other defendants. and after hearing the evidence and inspecting the proof. the Court doth say and find that the said Grandison Ballard died the owner in fee simple of the real estate described in the petition. and that the defendants. except the Aetna Life Insurance Company. are the heirs at law and the only heirs of the said Grandison Ballard. That there are claims filed and allowed of the value of $316.46; that there is a claim of $411.22 filed but not allowed. That there are other claims not filed. but which are valid claims against said estate of the probable value of $406.22. The Court also finds that the Aetna Life Insurance Company holds a mortgage on the said real estate given by the said Grandison Ballard for the sum of $900.00. which mortgage is a first lien on the said real estate. Said mortgage is recorded in Mortgage Record 27. at page 93. of the Records of Hendricks County. Indiana. The Court also finds that the personal estate of the said decedent amounts to the sum of $524.25. and that there is a deficiency of personally to pay the debts of said decedent in about the sum of $1200.00. The Court also finds that said real estate ought to be sold to make assets to pay the debts of said decedent. including the mortgage above named.

And now comes the said administrator and files an inventory and appraisement of the said real estate. from which it appears that the same was appraised by Robert W. Miller and

Henry Turpin. two reputable Householders and Freeholders of the County of Hendricks. and not of kin to any of the parties hereto. at the sum of $2580.00. Said appraisement is in the words and figures as follows. to-wit:

'State of Indiana. Hendricks County. ss:

Mr. Robert W. Miller and Henry Turpin. sworn that we will honestly appraise the real estate of Grandison Ballard. deceased. which may be exhibited to us.

Robert W. Miller. Appraisers.
Henry Turpin

Subscribed and sworn to this 12th day of May. 1894.
W. M. Brown. J. P.

On Inventory and Appraisement of all of the real estate of Grandison Ballard. deceased. and described as follows. to-wit:

1st. The West half of the East half of the Southeast quarter of Section twenty (20). Township sixteen (16) North. in Range two (2) East. containing forty (40) acres. more or less. and appraised by us at the sum of $42.00 per acre — $1700.00.

2nd Also (4) four acres off of the North end of the West half of the Southeast quarter of Section twenty (20). Township sixteen (16) North. in Range two (2) East. and appraised by us at the sum of $150.

3rd. Also commencing at the Southwest corner of the East half of the Northeast quarter of Section twenty (20). Township sixteen (16) North. in Range two (2) East; thence running East (40) rods to the center of said half quarter section; thence North twenty-four (24) rods and two (2) feet to the right of way of the Indiana. Bloomington and Western Railway; thence Westwardly along said railroad to the West line of said East half of said quarter Section; thence South forty-eight (48) rods and five (5) feet to the place of beginning. containing nine and one-half (9½) acres. more or less. and appraised by us at the sum of $40 per acre — $380.00.

4th. Also ten (10) acres in the Southeast corner of the East half of the Northwest quarter of Section twenty (20). Township sixteen (16) North. in Range two (2) East. as follows: Beginning at the Southeast corner of said quarter Section; running thence North forty (40) rods; thence West forty (40) rods; thence South forty (40) rods; thence East forty (40) rods to the beginning. containing ten (10) acres. more or less. and appraised by us at the sum of $35.00 per acre. — $350.00

All of the land herein described containing sixty-three and one-half (63½) acres. more or less. and all of said real estate together is appraised by us at the sum of $2580.00.

Robert W. Miller. Appraisers.
Henry Turpin.

Said the administrator also files a bond in the sum of $5760.00. conditioned for the faithful discharge of his duties in and about the sale of said real estate with Robert H. Miller and Henry Turpin as his security. which bond and the security thereto are approved by the Court. Said bond reads as follows:

'Know all Men by these presents. That we. John T. Jones. Robert H. Miller and Henry Turpin. are bound unto the State of Indiana in the penal sum of Fifty-one Hundred and Sixty Dollars. to pay which we jointly and severally bind ourselves. our heirs. executors and administrators.

Sealed and dated the 12th day of May. 1894.

The condition of the above obligation is. That as the above bound. John T. Jones. administrator of the estate of Grandison Ballard. deceased. has been ordered by the Court to sell all real estate of the said Grandison Ballard. deceased.

Now. if the said John T. Jones. will faithfully discharge the duties of his trust according to law. then the above obligation is to be void. else to remain in full force in law.

John T. Jones. (seal)
Robert H. Miller. (seal)
Henry Turpin. (seal)

Approved the 14th day of May. 1894.
John V. Hadley. Judge.

It is therefore ordered. adjudged and decreed by the Court that said administrator sell at private sale the following real estate in Hendricks County and State of Indiana. to-wit: The West half of the East half of the Southeast quarter of Section twenty (20). Township sixteen (16) North. in Range two (2) East. containing forty (40) acres. Also four acres off of the North end of the West half of the Southeast quarter of Section twenty (20). same township and range. Also commencing at the Southwest corner of the East half of the Northeast quarter of Section twenty (20). same township and range. thence running East forty rods to the center of said half quarter Section; thence North twenty-four rods and two feet to the right of way of the Indiana. Bloomington and Western

Railway; thence Westwardly along said railway to the West line of said East half of said quarter Section; thence South forty-eight rods and five feet to the place of beginning, containing nine and one-half acres, more or less. Also ten acres in the Southeast corner of the East half of the Northwest quarter of Section twenty, same township and range, as follows: Beginning at the Southeast corner of said quarter Section; running thence North forty rods; thence West forty rods; thence South forty rods; thence East forty rods to the place of beginning. Containing in all sixty-three and one-half (63½) acres, more or less.

And the administrator is ordered to sell the said real estate for one-third cash in hand on the day of sale, one-third in nine, and one-third in eighteen months from the day of sale, the purchaser giving his notes for the deferred payments, waiving valuation and appraisement laws, and drawing six per cent. interest from date. Said notes to be secured, as provided by statute.

If the said real estate is not sold on the day set, the sale may be continued from day to day at private sale until the same is sold."

And afterwards, to-wit: on the 4th day of September, 1894, being the 2nd judicial day of the September Term, 1894, of the Hendricks Circuit Court, before the same Honorable Judge thereof, proceedings were had of record in said cause, in the words and figures following, to-wit:

"Comes now John T. Jones, administrator of the Estate of Grandison Ballard, deceased, and files his petition for a modification of the order of sale herein, which petition is in words and figures following, to-wit:

"John T. Jones, administrator of the estate of Grandison Ballard, deceased, shows to the court, that as directed by the order of this court, in the above entitled cause, he advertised said real estate as ordered sold by said order, to be sold at private sale on the premises, terms set out in said order on the 16th day of June, 1894, and on said date offered the same for sale as advertised, and has continued to offer the same for sale from day to day until this present time, and he has received no offer therefor on the terms and conditions set out in said order of sale and said notice thereof. But he shows to the Court that there is a mortgage on said real estate in favor of the Aetna Life Insurance Company for nine hundred dollars, and that he was ordered to sell said

real estate free and discharged from said mortgage, and that he caused said real estate to be appraised as discharged from said mortgage, and it was appraised at $2580.00, and that he now has an offer from William Brown to purchase said real estate subject to said mortgage, and pay this administrator the difference between said appraisement and said mortgage, to-wit: $1680.00, paying $800.00 at this time, and the remainder, $880.00 on or before the first day of January, 1895, with six per cent. interest thereon from this date until paid, the purchaser to receive a deed of conveyance when said sum is all paid, and to give a bond for the payment of said sum of $900.00 to said Aetna Life Insurance Company and save the Estate of said Grandison Ballard harmless.

Said administrator says that he could use said sum of money at any time in payment of the indebtedness of said estate, and he believes it will be to the best interest of said estate to accept said offer and sell said real estate to said Brown for said sum, and accept said $800.00 at this time, and the remainder on or before the first day of January, 1895, and he asks the court to so modify said order of sale and authorize the acceptance of said offer.

John T. Jones.

Subscribed and sworn to before me this 4th day of September, 1894.

(Seal)

James L. Clark.
Notary Public.

Said administrator also files proof of publication and posting herein, as follows, to-wit:

'Administrators Sale of Real Estate.

Notice is hereby given that the undersigned administrator of the Estate of Grandison Ballard, deceased, will, on Saturday, the 16th day of June, 1894, on the premises, sell at private sale the following real estate in Hendricks County, by order of the Hendricks Circuit Court, to-wit: The West half of the East half of the Southeast quarter of Section twenty (20), township sixteen (16) North, range two (2) East, containing forty (40) acres. Also four acres off of the North end of the West half of the Southeast quarter of Section twenty (20), Township sixteen (16) North, in Range two (2) East. Also commencing at the Southwest corner of the East half of the Northeast quarter of Section twenty (20), Township sixteen (16) North, in Range two (2) East, thence running East forty (40) rods to the center of said half quarter Section; thence North twenty-four (24) rods and two (2) feet to the right of way of the

Indiana, Bloomington and Western Railway; thence Westwardly along the said railroad to the West line of the said East half of said quarter Section; thence South forty-eight (48) rods and five (5) feet to the place of beginning, containing nine and one-half acres, more or less. Also ten acres in the Southeast Corner of the East half of the Northwest quarter of Section twenty (20). Township sixteen (16) North. in Range two (2) East. as follows: Beginning at the Southeast corner of said quarter Section; running thence North forty (40) rods; thence West forty (40) rods; thence South forty (40) rods; thence East forty (40) rods to the place of beginning containing in all 63½ acres, more or less.

Terms of Sale: One-third of the purchase price cash in hand on the day of sale, one-third in nine months, and one-third in eighteen months from the day of sale, the deferred payments to be evidenced by notes waiving valuation and appraisement laws, and drawing six per cent. interest from date until paid. Said notes to be secured as provided by statute.

If the said real estate shall not sell on the day set, the sale thereof will be continued at private sale, from day to day, until the same is sold.

John T. Jones.
Administrator.

State of Indiana, Hendricks County, ss:

Personally appeared before the undersigned, Julian D. Hogate, editor of the Hendricks County Republican, a public weekly newspaper of general circulation printed and published in Danville, in the County aforesaid, who being duly sworn, upon his oath said that the notice, of which the attached is a true copy, was duly published in said paper for 4 weeks successively, the first of which publication was on the 17th day of May, 1894, and the last on the 7th day of June, 1894.

Julian D. Hogate.

Subscribed and sworn to before me this 4th day of September, 1894.

David Hadley, Clerk.

State of Indiana, Hendricks County, ss:

Before me, James L. Clark, a Notary Public in and for said County, came John T. Jones, this 4th day of September, 1894, and being first duly sworn, says that he posted five copies of the notice on the reverse side of this sheet, in the neighborhood of the real estate therein described, more than thirty days before the expiration day of June, 1894.

John T. Jones.

Subscribed and sworn to before me this 4th day of September, 1894.

James L. Clark.
Notary Public.

And the court being sufficiently advised in the premises, finds that said order ought to be modified.

It is therefore ordered by the Court that the order of sale herein be, and the same is now modified, and said administrator is ordered to sell said real estate for not less than $1680.00, subject to a mortgage thereon for $900.00 in favor of the Aetna Life Insurance Company, and to receive $880.00 of said sum at this time and the balance on or before the first day of January, 1895.

And now comes said Administrator and files his report of the sale of said real estate, in words and figures following, to-wit:

Comes now John T. Jones, Administrator of the Estate of Grandison Ballard, deceased, and shows to the court that pursuant to the order of this Court of this date, in this cause, he sold to William Brown, for the sum of sixteen hundred and eighty Dollars ($1680) the following described real estate in Hendricks County, and State of Indiana, as the real estate of Grandison Ballard, deceased, to-wit: The West half of the East half of the Southeast quarter of Section twenty (20), in Township sixteen (16) North, and Range two (2) East. Also four (4) acres off of the North end of the West half of the Southeast quarter of Section twenty (20) in Township sixteen (16) North, and Range two (2) East. Also commencing at the Southwest corner of the East half of the Northeast quarter of Section twenty (20), in Township sixteen (16) North, and Range two (2) East; thence running East forty (40) rods to the center of said half quarter Section; thence North twenty-four (24) rods and two (2) feet to the right of way of the Indiana, Bloomington and Western Railway; thence Westwardly along the said Railway to the West line of the East half of said quarter Section; thence South forty-eight (48) rods and five (5) feet to the place of beginning. Also ten (10) acres in the Southeast corner of the East half of the Northwest quarter of Section twenty (20), Township sixteen (16) North, and Range two (2) East, as follows: Beginning at the Southeast corner of said quarter Section; running thence North forty (40) rods; thence West forty (40) rods; thence South forty (40) rods; thence East forty (40) rods to the beginning, containing in all said tracts sixty-three and one-half acres, more or less.

Said real estate was sold subject to a mortgage thereon in favor of the Aetna Life insurance Company for nine hundred dollars. The purchaser paid cash $800.00, and executed his note for $880.00, payable on the first day of January, 1895. with six per cent. interest. with privilege of paying the same at any time previous to that date. the deed of conveyance to said real estate to be made when said sum is all paid.

John T. Jones.

Subscribed and sworn to before me this 4th day of September, 1894.

Seal

James L. Clark.
Notary Public.

And the court having examined said report and sum fully advised in the premises, approves said sale and said report thereof, in all things. and said administrator is ordered to report to the Court when said purchase money is all paid and said purchaser has executed his bond payable to said Administrator, or the heirs of said Grandison Ballard in the sum of One Thousand Dollars, conditioned to hold said estate and said heirs harmless and indemnified against any liability on said mortgage to said Aetna Life Insurance Company."

And afterwards, to-wit: on the 7th day of November, 1894, the same being the 3rd judicial day of the November Term, 1894, of said Court, before the same Honorable Judge thereof proceedings were had of record in said cause, in the words and figures following, to-wit:

"Comes now John T. Jones, Administrator of the Estate of Grandison Ballard, and files his report showing that all of the purchase money for the real estate sold in this cause, has been paid, which report is in words and figures following, to-wit:

"Comes now John T. Jones, Administrator of the Estate of Grandison Ballard, deceased, and Plaintiff in the above entitled cause, and shows to the Court that William Brown, the purchaser of the real estate herein before reported sold, has paid the purchase money in full, and he asks for an order to make and deliver a deed conveying said real estate to said purchaser.

John T. Jones.

Subscribed and sworn to November 5th, 1894.

James L. Clark.
Notary Public.

Said administrator also presents a deed duly acknowledged

conveying said real estate to said purchaser, William Brown, and the court having examined said deed finds the same conforming to the order of this court, and approves said deed, and indorses his approval thereon in these words: "Examined and approved in open court this 7th day of November, 1894. John V. Hadley, Judge." That said administrator is ordered to deliver to said purchaser said deed as an evidence of his title."

Attest:
David Hadley, Clerk.

Estate of Bloomfield White. Deceased.

Be it Remembered. That on the 11th day of March. 1895. the same being the 7th judicial day of the March Term. 1895. of the Hendricks Circuit Court. before the Hon. John V. Hadley. sole Judge thereof. Proceedings were had of record for the sale of certain real estate. in the words and figures following. to-wit:

"In the Matter of the Estate of Bloomfield White. deceased. } No. 1320.- Land Sale.

Comes James L. McCaen executor of the last will and testament of Bloomfield White deceased by Hovgate & Clark his attorneys. and presents to the court and files a petition to sell the real estate of decedent according to the terms of the will of the said decedent said petition reads as follows to-wit:

James L. McCaen executor of the last will and Testament of Bloomfield White deceased respectfully shows to the court that the fifth (5th) and sixth (6th) items of the will of said decedent read as follows to-wit:

"Item 5th I will and direct that my executor sell my farm in Hendricks County in the state of Indiana situate one and one half miles south of the town of Danville either as a whole or in parcels as he may deem to the best interest of my estate and that he sell the real estate that I own in the town of Danville in said County of Hendricks except that devised to my wife Mary White in item No 1 of this will and except that I do not wish my business house on Lot number six (6.) in block number nineteen (19) in said town now occupied by William R. McClelland and others sold by my executor until after the lease of the said McClelland shall expire.

I hereby empower my said executor to pass all the title I have in said real estate and to make such regulations as to the time of payments for the real estate sold as he may think to the best interest of my estate, said sale or sales to be either at public or private sale as he may deem best and I recommend that he give notice of sale in some newspaper of general circulation published in Hendricks County. and if he think best by posting notices also.

Item 6th after the payment of all my just debts and funeral expenses and the legacies and trusts herein provided for I want all the residue of my estate and the rents derived from my real estate until sold paid to my wife Mary White to be her absolutely to do with as she shall see proper hereby placing no restrictions or limitations upon her disposal or use of the residue

And he also shows to the court that before the death of the said Bloomfield White he sold the farm mentioned in the said fifth Item of his will and that all the real estate owned by the said Bloomfield White at the time of his death and ordered to be sold by the provisions of said items of his will is the following real estate in Hendricks county in the state of Indiana to wit:

Part of lot six (6) in block nineteen (19) in the town of Danville described as follows to-wit: Commencing seventeen (17) feet south of the north east corner of said lot six (6) and running thence south to the south line of said lot thence west on said south line one hundred and twenty five (125) feet to the west side of said lot thence north on the west line of said lot to within seventeen (17) feet of the north west corner of said lot thence east to the place of beginning being the property now occupied by William R. McClelland. also lots one (1) and two (2) in block one (1) in Matlocks addition to the town of Danville.

Also a piece of ground twenty one (21) feet east and west and sixty four (64) feet north and south out of the north east corner of Lot seven (7) in block twenty eight (28) in the town of Danville Indiana

And he shows to the court that in order to facilitate the settlement of the estate of the said decedent the said William R. McClelland has surrendered to this executor his lease on the said property in Lot six (6) in block nineteen (19) in said town of Danville and that the said executor has accepted the surrender of the said lease and the same has now expired and there are no legal impediments in the way of offering said real estate for sale as provided in the will of said decedent And the said executor says he believes it to be to the best interest of the said estate to now order that said real estate be sold at private sale for one third cash in hand on the day of sale one third in nine months and one third in eighteen months from the day of sale or if any purchaser desires to pay cash in hand for any of said property so purchased by him that the executor be permitted to receive the same.

Wherefore he prays the court for an order directing him to sell all of said real estate at private sale after giving the statutory notice and he asks for an order accordingly

J. L. McCaen.
Executor.

Subscribed and sworn to before me this 11th day of March 1895
Enoch G. Hovgate.
Notary Public.

And the court having examined the said petition and heard proof and being fully advised in the premises finds that the items as above set out are the fifth and sixth items of the will of decedent that William R. McClelland has surrendered his lease on the property first in said petition described and that the said lease has expired. The court also finds that said real estate ought to be sold at private sale after giving such notice as the law provides.

And now said executor files an inventory and appraisment of said real estate from which it appears that said real estate was appr=aised at the sum of Eighty five Hundred dollars $ 8.500.00 by F. N. Estep. and J. A. Downard two reputable Householders and freeholders of the County of Hendricks in the state of Indiana and not of Kin to any of the parties said appraisment reads as follows to-wit:

We James A. Downard and F. N. Estep do solemnly swear that we will honestly and impartially appraise the real estate of Bloomfield White, deceased that may be exhibited to us at its true cash value.

James A. Downard.
F. N. Estep.

Subscribed and sworn to before me this 9th day of March 1895
James L. Clark
Notary Public.

An inventory and appraisment of all of the real estate of which Bloomfield White died seized situate in Hendricks County in the state of Indiana to-wit: Part of lot six (6) in block nineteen (19) in the town of Danville and described as follows to-wit: Commencing seventeen (17) feet south of the north east corner of said lot six (6) and running thence south to the south line of said lot. thence west on the south line of said lot one hundred and twenty five (125) feet to the west side of said lot thence north on the west line of said lot to within seventeen (17) feet of the north west corner of said lot thence east to the beginning being the property now occupied by William R. McClelland and appraised by us at the sum of Sixty five Hundred dollars. $ 6500 also Lots one (1) in block one (1) in Matlocks addition to the town of Danville and appraised by us at the sum of nine hundred dollars $ 900.00 Lot 2 in block (1) in Matlocks addition to the Town of Danville which we appraise at four hundred & fifty dollars $450, also a piece of ground twenty one (21) feet east and west and sixty four (64) feet north and south out of the north east corner of Lot seven (7) in block twenty eight (28) in the town of Danville and appraised

by us at the sum of six Hundred and fifty dollars $650.
and all of said property being appraised by us at the sum of eighty five hundred dollars $ 8500

James A. Downard.
F. N. Estep.
Appraisers.

And the said executor also files a bond conditioned for the faithful discharge of his duties in and about a sale of said real estate in the sum of seventeen Thousand dollars $17,000.00 with J. T. McCoun as his sureties which bond and the security thereto are approved by the court. said bond reads as follows to-wit:

Know all men by these presents that we James L. McCoun. J. T. McCoun, are bound unto the state of Indiana in the penal sum of seventeen Thousand dollars to pay which we jointly and severally bind ourselves our heirs executors and administrators sealed and dated the day of March 1895

The condition of the above obligation is that as the above bound James L. McCoun Executor of the will of Bloomfield White deceased has been ordered by the Circuit Court of Hendricks County to sell all of the real estate of decedent. Now if the said James L. McCoun will faithfully discharge the duties of his trust according to law then the above obligation is to be void else to remain in full force in law

J. L. McCoun,
J. T. McCoun.

Approved the 11th day of March 1895.
John V. Hadley. Judge.
Circuit Court Hendricks County.

It is therefore ordered adjudged and decreed by the Court that said executor proceed to sell at private sale after giving the stat=utory notice the following real estate in Hendricks County in the state of Indiana to wit: part of Lot six (6). in the block nineteen (19) in the town of Danville, described as follows Commencing seventeen (17) feet south of the north east corner of said Lot six (6) and running thence south to the south line of said lot thence west on said south line one hundred and twenty five (125) feet to the west side of said lot thence north on the west line of said lot to within seven=teen (17) feet of the north west corner of said lot thence east to the place of beginning being the property now occupied by William R. McClelland. also lots one (1) and two (2) in block one (1) in Matlocks addtion to the town of Danville

Also a piece of ground twenty one (21) feet east and west and sixty four (64) feet north and south out of the north east corner of Lot seven (7) in block twenty eight (28) in the town of Danville Indiana, And said executor is ordered to sell said real estate for not less than its full appraised value for one third cash in hand on the day of sale one third in six months and one third in twelve months from the day of sale the purchaser giving his notes for the defered payments drawing six per cent interest from date waiving valuation and appraisment laws and secured by a mortgage on the premises sold And if any purchaser desires to pay cash for his purchase or to pay the purchase price faster than the above order the executor is hereby empowered to receive the money as offered, If the said real estate should not sell on the day set for the sale the sale may be continued from day to day until all is sold, And said executor is ordered to report his proceeding to this Court for confirmation,

And afterwards to wit: on the 6 day of May 1896 the same being 1st judicial day of the May Term 1896 said Hendricks Circuit Court before the same Honorable Judge thereof proceedings were had of record in said cause in the words and figures following to-wit:

Comes the executor herein by Hogate & Clark his attorneys and file a partial report of sale of real estate herein which report is in the words and figures following to-wit: The Clerk will here set out the report in full except the caption and at the same time the said executor files proof of publication and proof of posting notices which read as follows to-wit:

Comes James L. McCaw executor of the last will and testament of Bloomfield White deceased and presents to the Court and files the affidavit of Julian D. Hogate Editor of the Hendricks County Republican a weekly newspaper of general circulation printed and published in the County of Hendricks and State of Indiana from which affidavit it appears that a notice of the time place terms and conditions of sale herein had been given in said newspaper for four weeks in succession the first of which publications was on the 4th day of March 1895 and the last on the 4th day of April 1895 And the said executor also files his own affidavit from which it appears that like notices were posted in the County of Hendricks in at least five public places three of which were posted in Centre Township where said real estate proposed to be sold is located and that said notices were posted on the 16th day of March 1895. And the executor also reports that on the day set for the sale of the real estate herein to-wit: on the 13th day of April 1895 he attended at the First National Bank of Danville Indiana and offered said real estate ordered sold for sale at private sale and Mary White offered for the following real estate in Hendricks County in the state of Indiana to-wit: part of lot six (6) in block nineteen (19) in the town of Danville described as follows Commencing seventeen (17) feet south of the north east corner of said lot six (6) and running thence south to the south line of said lot thence west on said south line one hundred and twenty five (125) feet to the west line of said lot thence north on said west line of said lot to within seventeen (17) feet of the north west corner of said lot thence east to the place of beginning being the property now occupied by William R. McClelland the sum of eight thousand dollars ($8,000.00) cash and no one having offered more and that sum being largely in excess of the appraisment I sold the same to the said Mary White for the sum of her bid,

And the said Mary White having complied with her bid I executed to her a certificate of purchase stating the facts of purchase and provided that she was entitled to a deed of conveyance if the sale so made to her is approved by the Court

And I now ask the court to approve the sale so made to the said Mary White and order a deed made and delivered to her and no other person having made a bid for any other of the property offered for sale on the day above named I continued the sale from day to day.

James L. McCaw.
Executor.

Subscribed and sworn to this 6th day of May 1895.
Enoch G. Hogate.
Notary Public.

And the court having examined the said report and being fully advised in the premises finds that said sale so made and reported aught to be confirmed It is therefore ordered adjudged and decreed by the court that said report of sale so made and reported by and the same is hereby in all things approved and confirmed and said executor is ordered to prepare and present to the court for approval a deed of conveyance to the purchaser.

And now the said executor as he is ordered presents to the court a deed of conveyance to Mary White for the real estate so purchased by her and the court having examined said deed and being fully advised in the premises now confirms the said deed and endorses his approval on the same in these words examined and approved in open Court this 6th day of May 1895. and orders delivered to purchaser John V. Hadley, Judge.

and time is given the executor to complete the sales ordered herein

Notice of sale of real estate

Notice is hereby given that the undersigned executor of the last will and testament of Bloomfield White deceased will on Saturday the 13th day of april 1895 at the First National Bank of Danville Indiana sell at private sale the following described real estate in Hendricks County in the state of Indiana to-wit: part of lot six(6) in block nineteen (19) in the town of Danville and described as follows: Commencing seventeen (17) feet south of the north east corner of said lot six (6) and running thence south to the south line of said lot thence west on the south line of said lot one hundred and twenty five (125) feet to the west side of said lot, thence north on the west line of said lot to within seventeen feet of the north west corner of said lot thence east to the place of beginning Also lots one (1) and two (2) in block one (1) in Matlocks addition to the town of Danville also a piece of ground twenty one (21) feet east and west and sixty four (64) feet north and south out of the north east corner of lot seven(7) in block twenty right (28) in the town of Danville.

Terms of Sale

The purchaser will pay one third of the purchase price cash in hand on the day of sale one third in six months and one third in twelve months from the day of sale the purchaser giving his note for the deferred payments drawing six percent interest from date and secured by mortgage on the property purchased waiving relief from valuation and appraisement laws or the purchaser may have the option of paying all cash or more than the above amounts at one time If sale should not be made on the day fixed the sale will be continued from day to day until all of said real estate is sold

James L. McCaun,

Executor.

State of Indiana Hendricks County S.S.

Personally appeared before the undersigned Julian D. Hogate

editor of the Hendricks County Republican a public weekly newspaper of general circulation printed and published in Danville in the County aforesaid who being duly sworn upon his oath saith that the notice of which the attached is a true copy was duly published in said paper for 4 weeks successively the first of which publication was on the 14th day of March 1895 and the last on the 4th day of april 1895.

Julian D. Hogate

Subscribed and sworn to before me this 24th day of april 1895 David Hadley, Clerk.

State of Indiana Hendricks County ss.

James L. McCaun executor of the last will and testament of Bloomfield White deceased being first duly sworn on his oath says that he posted in the County of Hendricks five notices like the one attached hereto three of which notices were posted in Centre Township where said real estate is situate and he says that said notices were so posted on the 16th day of March 1895

James L. McCaun,

Executor

Subscribed and sworn to before me this 6th day of March 1895

Enoch G. Hogate,

Notary Public.

And the court having examined the said report and being fully advised in the premises finds that said sale so made and reported ought to be confirmed.

It is therefore ordered adjudged and decreed by the court that said report of sale so made and reported by and the same is hereby in all things approved and confirmed and said executor is ordered to prepare and present to the court for approval a deed of conveyance to the purchaser

And Now the said executor as he is ordered presents to the court a deed of conveyance to Mary White for the real estate so purchased by her and the court having examined said deed and being fully advised in the premises now confirms the said deed and endorses his approval on the same in these words: Examined and approved in open Court this 6th day of May 1895. and ordered delivered to purchaser John V. Hadley. Judge.

And time is given the executor to complete the sales ordered herein.

And afterwards to-wit: on the 6th day of September 1896, the same being 4th judicial day of the May Term 1896. said Hendricks Circuit Court before the same Honorable Judge thereof proceedings were had of record in said cause in the words and figure following to-wit. Comes the executor herein by Hogate & Clark his attorneys and presents to the court and files a report of the sale of a portion of the real estate of the said decedent which report is in the following words to-wit: Here set out the report in full except the caption

And the court having examined the said report and being fully advised in the premises finds that the said sale so made and reported ought to be confirmed. It is therefore ordered adjudged and decreed by the court that said sale of the said real estate to the said Joel T. Barker by the said executor be and the same is hereby in all things approved and confirmed and the said executor is hereby ordered to present to this court for approval a deed to the said Joel T. Barker for the said real estate

And now comes the said executor and in accordance with the order of the court presents to the court for approval a deed to the said Joel T. Barker for the real estate so purchased by him and the court having examined the said deed and being fully advised in the premises approves said deed and endorses his approval on the same in these words. Approved in open court and ordered delivered to the purchaser as an evidence of his title

John V. Hadley, Judge.

Report of sale No. 2.

Comes now James L. McCaun executor of the last will and testament of the said Bloomfield White deceased and shows to the court that under the order heretofore made he continued the sale of real estate herein from day to day and on the 31st day of August 1895 one Joel T. Barker offered for the following real estate in Hendricks County in the State of Indiana to-wit: A piece of ground twenty one (21) feet east and west and sixty four (64) feet north and south out of the north east corner of Lot seven (7) in Block twenty eight (28) in the town of Danville Indiana the sum of six hundred and fifty dollars $ 650.00 and agreed to pay all street and side-walk improvements now or to be hereafter assessed on said real estate. And no person offering more for the said real estate and that sum being the full appraised value for the same the said real estate was openly sold to the said Joel T. Barker for said sum whereupon the said Joel T. Barker paid down the sum of $ 216.68 and executed his two notes for the residue in equal installments of $ 216.66. due in six and

twelve months from the day of sale with six per cent interest from day of sale waiving valuation and appraisement laws.

And now the said executor shows to the court that said sale was in all things in conformity with the order of the court herein and he asks that the said sale so made and reported may be confirmed by the court and that the court will order a deed to be made to the purchaser for the real estate so purchased by him.

J. L. McCaun.
Executor

Subscribed and sworn to this 31st day of August 1895.

Enoch G. Hogate.
Notary Public

And afterwards to-wit: on the 11th day of October 1896, the same being 35th judicial day of the May Term 1896. said Hendricks Circuit court before the same Honorable Judge thereof proceedings were had of record in said cause in the words and figure following to-wit:

Comes the executor herein by Hogate & Clark his attorneys and presents to the court and files a report of sale of the baland of the real estate herein of said decedent which report is in the words and figures as follows, to-wit: the clerk will here set out the report in full except the caption. Comes now James L. McCaun executor of the last will and testament of Bloomfield White deceased and shows to the court that pursuant to the order herein he continued the sale of the real estate of said decedent under the terms of sale herein from day to day and that he received no bid for the said real estate unsold until the 10th day of October 1895 That on said day one William L. White offered for Lots one (1) and two (2) in Block one (1) in Matlocks addition to the town of Danville in Hendricks County in the state of Indiana the sum of thirteen hundred and fifty dollars and no person bidding more and that being the full appraised value for the said real estate the same was in due form openly struck off and sold to the said William L. White for the said sum of money Whereupon the said William L. White paid the amount of his bid in full and I executed to him a certificate of purchase for the same. And now the executor asks that the sale so made be confirmed by the court and that the court will order a deed for conveyance to be made to the said William L. White for the real estate so purchased by him.

James L. McCaun.
Executor

Subscribed and sworn to before me this 11th day of October 1895.
Enoch G. Hogate.
Notary Public.

And the court having examined the said report and being fully advised in the premises finds that the said report ought to be approved and the sale so made confirmed. It is therefore ordered adjudged and decreed by the court that the sale so made and reported be and the same is hereby in all things approved and confirmed and the said executor is ordered to report to the court for approval a deed of conveyance conveying to the purchaser the real estate so purchased by him.

And now the executor as he is commanded presents to the court a deed of conveyance for the above described real estate conveying to the said William L. White the said real estate. And the court having examined the said deed and being fully advised in the premises now approves said deed and endorses his approval thereon in writing in these words Examined and approved in open court and ordered delivered to the purchaser as an evidence of his title
John V. Hadley, Judge.

All of which is finally ordered adjudged and decreed by the Court.

Attest.
David Hadley, Clerk.

Be it remembered that on the 25th day of January 1896 the same being the 18th judicial day of the January Term 1896 of Hendrick circuit court before the Honorable John V. Hadley Judge thereof proceedings for the sale of real estate were had in the words and figures following to-wit:

In the matter of the estate of
Lewis Cooper deceased.

Comes now Gamaliel C. Cooper executor of the last will and testament of Lewis Cooper deceased by Hogate & Clark his attorneys and shows to the court the petition filed herein on the seventh day of January 1896, from which it appears that the will of said decedent directed the sale of certain real estate in said petition described and the proceeds thereof should be applied to the payments of debts against said estate if necessary and the surplus if any divided among certain persons named in the said will of the said decedent said petition reads as follows to-wit:

Gamaliel C. Cooper executor of the last will and testament of Lewis Cooper deceased says that on the 9th day of November 1895 the last will and testament of said deceased was duly and legally admitted to probate in the Hendricks Circuit Court and that the same now stands as the last will and testament of said decedent and is in full force not revoked or set aside nor the probate appealed from. He also says that on the 4th day of December 1895 he gave bond and qualified as executor of the said last will and testament and that said bond covered the sales of real estate as directed by the said will as well as covered the personal estate of said decedent. He says that the fourth 4th Item of the will of said decedent reads as follows. 4th That the fifteen acres off the north half of the 30 acres that lies west of the homestead & west of the road and the east half of the south half of the north west quarter of the south east quarter of section nineteen (19) Township fourteen (14) north of range one west ten acres be sold and whatever is left after all debts and other expenses are paid to be equally divided among my daughters And the executor shows that a more particular description of said real estate is as follows:

Fifteen (15) acres off of the north end of the east half of the north east quarter of section twenty four (24) Township fourteen (14) north in range two (2) west and also the east half of the south half of the north west quarter of the south east quarter of section nineteen (19) Township fourteen (14) north in range one (1) west

in Hendricks County in the State of Indiana containing ten (10) acres more or less. And the executor shows to the Court that in the year 1882 the testator sold said ten acres of real estate to one H. D. Bartholomew his son in law for the sum of four Hundred dollars $400.00, the said Bartholomew was to pay said sum at the death of the testator and was to pay the testator as long as he lived interest at the rate of six per cent per annum on said $400.00. which interest has been paid except the interest falling due Christmas 1895. That in pursuance to said contract the said H. D. Bartholomew took possession of said real estate and exercised acts of ownership such as paying taxes buying title and putting in tile drains and paying assessments for constructing a ditch through or near said real estate and paying the assessments for cleaning out said ditch on or near real estate.

The executor also understands that said Bartholomew is ready to take said ten acres at the executors sale at the price agreed on between him and the said testator and he believes it would be to the best interest of the estate to permit the said Bartholomew to now buy said ten acres at and for the sum of $400.00.

Wherefore the executor asks that an order may be made for the sale of said real estate at private sale for one half cash in hand on the day of sale and one half in nine months from the day of sale the deferred payments to be secured as the law provides in the sale of real estate to pay debts And will the court also order that if the said Bartholomew will pay said sum of $400.00 for said ten acres that the same may be sold to him on the terms above mentioned

G. C. Cooper.

Subscribed and sworn to before me this 7th day of January 1896.

Enoch G. Hogate,
Notary Public.

And the court being fully advised in the premises finds that the said executor should proceed to sell the said real estate and that the ten acres therein described ought to be sold to H. D. Bartholomew according to his contract with the said decedent at and for the price of $400.00 The court also finds that when the said executor gave bond as such that he gave a bond in an amount sufficient to cover the sale of said real estate as well as to cover the personal property of the deceased. And now the said executor comes and files an inventory and appraisement of the said real estate from which it appear that the same was appraised at the sum of $650.00 by W. O. McCloud and D. V. Broadstreet two reputable householders and freeholders of the neighborhood and not of Kin to either of the parties to this proceeding said appraisement reads as follows to-wit:

State of Indiana Hendricks County,

We W. O. McCloud and D. V. Broadstreet swear that we will honestly appraise the real estate of Lewis Cooper deceased which may be exhibited to us.

W. O. McCloud

D. V. Broadstreet Appraisers

Subscribed and sworn to this day of January 1896 before me.

Samuel G. Cooper.

An inventory of a part of the real estate of Lewis Cooper deceased and described as follows to-wit: fifteen acres off of the north end of the east half of the north east quarter of section 24. Township 14 north in range 2 West and appraised by us at the sum of $270, Also the east half of the south half of the north west quarter of the south east quarter of section 19. township 14 North in range one (1) west ten acres and appraised by us at $380. and all appraised by us at $650.

W. O. McCloud.

D. V. Broadstreet Appraisers.

It is therefor ordered adjudged and decreed by the court that said executor proceed to sell at private sale without notice of the time place terms or conditions of sale the following real estate in Hendricks County in the state of Indiana to-wit: fifteen 15. acres off of the north end of the east half of the north east quarter of section twenty four (24) Township fourteen (14) north in range two (2) west and also the east half of the south half of the north west quarter of the south east quarter of section nineteen (19) Township fourteen (14) north in range one (1) west containing ten (10) acres more or less and that the said executor sell the same for one half cash in hand on the day of sale one half in nine months with six per cent interest on the deferred payments secure by a mortgage on the premises the notes for the deferred payments to waive relief from valuation and appraisement laws and to carry attorneys fees and the said executor is ordered to sell the said ten (10) acre piece above described to H. D. Bartholomew at and for the sum of four hundred dollars $400.00 on the terms and conditions above provided. but any purchaser may pay all of his bid cash in hand on the day of sale and the said executor is hereby authorized to receive payments on the

purchase money at any time before the same becomes due.

And afterwards to-wit: on the 29th day of January 1896. the same being 21st judicial day of the May Term 1896 said Hendricks Circuit Court before the same Honorable Judge thereof proceedings were had of record in said cause in the words and figures following to-wit:

Comes the executor by Hogate & Clark. his attorneys, and files a report of sale herein in the following words.

Gamaliel C. Cooper executor of the last will and testament of Lewis Cooper respectfully shows to the Court that in pursuance to the order of sale made herein he did on the 29th day of January 1896 sell at private sale without notice of the time place terms or conditions of sale to Henry D. Bartholomew for the sum of four hundred dollars the following real estate in Hendricks County in the state of Indiana to-wit: The east half of the south half of the North west quarter of the south east quarter of section nineteen (19) Township fourteen (14) North in range one (1) west ten (10) acres

And the said Henry D. Bartholomew paid down the sum of four Hundred dollars in full of the purchase price for said real estate

And now the executor asks that the sale herein may to confirmed and a deed ordered.

Gamaliel C. Cooper.
Executor.

Subscribed and sworn to before me this 29th day of January 1896
Enoch G. Hogate.
Notary Public.

And the Court being sufficiently advised in the premises finds that said sale ought to be confirmed. It is therefore ordered adjudged and decreed by the Court that said sale be & the same is hereby in all things approved and confirmed. And now the said Henry D. Bartholomew appears in open court and asks that the land so sold to him be deeded by the said executor to Rhode Island Bartholomew wife of the said Henry D. Bartholomew

And now the Court orders the executor to make a deed to Rhode Island Bartholomew and report the same to the court for approval

And now the executor comes and reports to the Court a deed of conveyance of said real estate to Rhode Island Bartholomew which deed is examined and approved by the court and his approval endorsed thereon in the following words: Examined and approved in open Court and ordered delivered to the purchaser as

evidence of title John V. Hadley Judge

all of which is ordered adjudged and decreed by the Court

Attest:

David Hadley
Clerk

"These lines cut out because of a Writ of Error"

Land Sale, John W. Litzman

Be it remembered that on the 30th day of March 1876, the same being the 25th day of March Term, 1876 The following proceedings were had before the Hon. John B. Hadley Judge of the Hendricks Circuit Court, said proceedings are as follows to wit

Jesse N. Stout, Administrator of the Estate of John W. Litzman deceased.
vs,
Ethel Litzman, Della Litzman Oliver L Litzman, Louis Litzman Westline Litzman and Julia A Litzman

Land Sale

Comes Jesse N. Stout, administrator, and shows to the Court that in a Civil cause No 6233 he applied, by complaint to set off to Julia A, Litzman as widow of decedent, one third, in value of the real estate of said decedent, and in said proceeding all the above named defendants were parties and were duly and legally summoned to answer said complaint; And that such proceedings were had that there was set off to the said Julia A. Litzman one third, in value, of the real estate of which the said John W Litzman, died seized, as will be shown by Order Book No 39 page ***,

And the Court having examined the petition filed and heard the evidence finds that the personal estate of said decedent amounts to the sum of 2,005.39 and the Administrator has paid out the sum of 2040.24 on the debts of said estate, and that there remains of indebtedness about the sum of $14.00 cts The Court also finds that the real estate of said decedent not set off to the widow is subject to be

John W Litzman

To make assets to pay the debts of said decedent and that the said administrator ought to sell a sufficient amount thereof for that purpose,

And now comes said administrator and files an Inventory and appraisement of 20 acres off of and clear across the south end of the West half of the North East quarter of section 32 township 14 North in Range one West in Hendricks County Ind, from which it appears that the same was appraised by George W Milhon and George W. Reitzel two reputable householders and freeholders of the County, at the sum of $1000 cts

Said Inventory and appraisement reads as follows;

State of Indiana Hendricks County.

We George W Milhon and George W Reitzel swear that we will honestly appraise the Real Estate of John W. Litzman deceased, which may be exhibited to us,

G. W. Milhon
G. W. Reitzel
} Appraisers

Subscribed and sworn to, this 30th day of March 1876 before me

Mill C Masten Clerk

An Inventory of a part of the Real East of John W. Litzman deceased, and described as follows to wit;

Twenty (20) acres off of and clear across the South end of the West half of the North East quarter of Section Thirty two (32) Township Fourteen (14) North, in Range one (1) West and appraised by us at the sum of $1000 cts
and appraised by us at $1000 cts

G. W. Milhon
G. W. Reitzel
} Appraisers

The administrator also files a bond for the sale of said real estate in the sum of $2400.00 with George W Milhon and Wm H. Stout as his sureties which bond and the security thereto are approved by the Court, and his approval endorsed thereon in writings, Said Bond reads as follows,

Know all Men by these Presents That we Jesse N. Stout Geo. W. Milhon, Wm H Stout are bound unto The State of Indiana in the penal sum of Twenty four hundred Dollars, to pay which we jointly and severally bind ourselves, our heirs executors and administrators,

Sealed and dated the 30" day of March 1896

The Condition of the above obligation is, That as the above bound Jesse N Stout Administrator of the Estate of John W. Litzman deceased, has been ordered by the Circuit Court of Hendricks County to sell a part of the Real Estate of said decedent,

Now if the said Jesse N Stout will faithfully discharge the duties of his trust according to law, then the above obligation is to be void, else to remain in full force in law,

J. N. Stout,
G. W. Milhon
W. H. Stout,

Approved the 30" day of March 1896

John V Hadley
Judge

It is therfore ordered, adjudged and decreed by the Court that said administrator proceed to sell at private sale the following real estate in Hendricks County in the State of Indiana, to wit; Twenty (20) acres off of and clear across the South end of the West half of the North East quarter of section Thirty two (32) Township Fourteen (14) North in Range one (1) West, for one third cash in hand on day of sale one third in six and one third in twelve months from date of sale, the purchaser giving his notes for the defered payments drawing interest at six per cent per annum from date, waiving valuation and appraisment laws and secured by mortgage on the land sold, And if the said purchaser should desire to pay his whole bid in cash the administrator is hereby authorized to receive the same, Before said sale takes place the administrator shall give four weeks notice of the time, place, terms and conditions of sale in some newspaper and by posting notices as the law provides and if the said real estate should not sell on the day set therefor, the sale may be continued from day to day until the same is sold,

And day is given

Be it further remembered that on the 21"day of September 1896 The same being the 18" day of September Term, 1896 Of The Hendricks Circuit Court And before the Hon. John V. Hadley Judge thereof, The following proceedings in this cause were had

Comes Jesse N Stout, administrator of the estate of John W. Litzman, deceased, by Hogate & Clark his attorneys, and files a report of the sale of real estate herein which report reads as follows;

Comes now Jesse N Stout, administrator of the estate of John W. Litzman, deceased, and shows to the Court that pursuant to the order of the Court made at the March Term 1896 of this Court he gave notice of the time place Terms and conditions of the sale herein by four successive publications in the Hendricks County Gazette a public weekly newspaper of general circulation printed and published in the county of Hendricks and State of Indiana, the first of which publication was on the 2nd, day of April 1896 And the last on the 23"nd. day of April 1896, And the affidavit of W. A. King, published of said newspaper is filed herewith and made a part hereof as proof of the said publication, and the said affidavit reads as follows;

Hogate & Clark attys for administrator

"Administrator Sale of Real Estate"

Notice is hereby given that the undersigned administrator of the estate of John W Litzman deceased, by order of the Hendricks Circuit Court will, on Thursday, April 30, 1896, at the home of the administrator near Hazlewood, Indiana sell at private sale the following real estate in Hendricks County in the State of Indiana to wit;

Twenty acres off of and clear across the South end of the west half of the northeast quarter of section 32 township 14 north in range one West

"Terms of Sale"

One third of the purchase price cash in hand on the day of sale one third in six and one third in twelve months from the day of sale, the purchaser giving his notes for the deferred payments waiving valuation and appraisment laws, and drawing six per cent interest from date until paid secured by mortgage on the premises,

If the purchaser desires he may pay his whole bid in cash on the day of Sale

If the said real Estate should not be sold on the day set for the sale of the same the sale will be continued from day to day until the same is sold.

4 2 4t

Jesse N. Stout
Administrator

State of Indiana Hendricks Co. ss.

Personally appeard before the undersigned W. A. King publisher of the Hendricks County Gazette a weekly newspaper of general circulation, printed and published in Danville, in the County aforesaid, who being duly sworn, upon his oath saith that the notice of which the attached is a true copy, was duly published in said paper for four weeks successively the first of which publication was on the 2d day of April, 1896 and the last on the 23" day of April 1896

W A King.

Subscribed and sworn to before me this 4" day of May 1896

David Hadley Clerk

And now the said administrator also files his own affidavit from which it appears that he posted five notices of the time, place, terms and conditions of sale of the real estate herein in Liberty township in Hendricks County Indiana, the township where the said real estate is situate, And the said affidavit is made a part

Hereof and reads as follows:
Administrator's Sale of Real Estate,
Notice is heeby given that the undersigned Administrator of the estate of John W Leitzman deceased, by order of the Hendricks Circuit Court, will on,
Thursday, April 30, 1896, at the home of the administrator, near Hazlewood, Indiana sell at private sale the following real estate in Hendricks County in the State of Indiana to wit;
Twenty acres off of and clear across the south end of the west half of the northeast quarter of Section 32 township 14, north in range one West.
Terms of Sale One third of the purchase price cash in hand on the day of sale, one third in six and one third in twelve months from the day of sale, the purchaser giving his notes for the deferred payments waiving valuation and appraisment laws, and drawing six per cent, interest from date until paid, secured by Mortgage on the premises. If the purchaser desires he may pay his whole bid in cash on the day of sale,
If the said real estate should not be sold on the day set for sale of the same, the sale will be continued from day to day until the same is sold
42 ft.

Jesse N. Stout,

State of Indiana Hendricks County
The undersigned being first duly sworn on his oath says, that five notices, of which the annexed is an exact copy, were posted in Hendricks County in the State of Indiana on the 4" day of April 1896, and that three of said notices were posted in Liberty Township of said County, being the township where the real estate in said notice described is

Is situate,

J.N. Stout
Administrator

Subscribed and sworn to before me this 21" day of September 1896

James L Clark
Notary Public,

And on the 30th day of Aprie 1896 the said Administrator attended at the place of sale, the said date being the day set for the sale of said real estate, and no one made any bid for the said real estate and as per the order of the Court the sale was postponed from day to day,
And on the 1" day of July 1896 One Charles Leitzman offered for twenty acres off of and clear across the south end of the west half of the north east quarter of Section thirty two (32) township fourteen (14) north in range one (1) west in Hendricks County in the State of Indiana the sum of twelve hundred dollars ($1200.00) and no one offering more, and that sum being more than the full appraised value for the said real estate I sold the said real estate to the said Charles Leitzman at private sale for the said sum of twelve hundred dollars ($1200.00) And the said Charles Leitzman paid down the said bid in Cash.
And the administrator asks the Court to approve the sale so made and herein reported, and order a deed made to the said Charles W Leitzman for the real estate so purchased by him, And the administrator also asks the Court to so Modify the terms of sale heretofore made so as to permit him to receive the whole purchase price in cash

J.P. Stout Administrator

Subscribed and sworn to this 21st day of September 1896

James L Clark
Notary Public

And the said Administrator also files the affidavits of publication and the affidavit of posting notices of Sale.

And the Court being fully advised in the premises by evidence and statements of counsel finds that the said sale so made and reported ought to be approved.

It is therefore ordered adjudged and decreed by the Court that the above sale be and the same is hereby in all things approved and confirmed, and the said Administrator is ordered to report forth with to the Court for approval a deed of conveyance to said Charles Leitzman

And now the said Administrator in accordance with the order of the Court exhibits to the Court a deed of conveyance to Charles Leitzman for the real estate so purchased by him. Said deed is examined by the Court and approved and his approval is endorsed on the said deed in these words: Examined and approved in open Court and ordered delivered to the purchaser as an evidence of his title, John W. Hadley
Judge

And the said report showing that said administrator has sold said real estate for cash the order heretofore made is now so modified as to permit the said administrator to receive the whole purchase money in cash.

All of which is finally ordered adjudged and decreed by the Court.

Be it remembered That on the 25th of January, 1896 The same being the 18 Judicial day of the Term the following and said Proceeding were had in the Hendricks Circuit Court as follows Viz

In the Matter of the Estate of Lewis Cooper Deceased

Comes now Hamblet C. Cooper Executor of the last Will and Testament of Lewis Cooper Deceased By Hogate & Clark his Attorneys and shows to the Court the Petition filed herein on the seventh day of January 1896 from which it appears that the will of said decedent directed the sale of certain Real Estate in said Petition decribed and the Proceeds thereof should be applied to the Payments of Debts against said Estate if necessary and the surplus if any divided among certain persons named in the said will of the said Decedent said Petition reads as follows Viz

State of Indiana Hendricks County SS

In the matter of the Estate of Lewis Cooper Deceased

Hamblet C. Cooper Executor of the Last Will and Testament of Lewis Cooper Deceased says that on the 2nd day of November 1895 the last will and Testament of said Decedent was duly and Legally Admitted to Probate in the Hendricks Circuit Court and that the same now stands as the last will and Testament of said Decedent and is in full force not revoked nor set aside nor the Probate Appealed from He also that on the 4th day of December 1895 he gave Bond and qualified as Executor of the said last will and Testament and that said Bond Covered the Sales of Real Estate as Directed by the said will as well as covered the Personal Estate of said Decedent

He says that the fourth Item of the will of said Decedent Reads as follows Viz That the fifteen Acres of the north half of the 30 Acres that lies west of the Homestead & west of the Road and the East half of the South half of the north West quarter of the south East quarter of section nineteen in Township fourteen north of Range one west ten acres be sold and whereas is left after all Debts and other expenses are paid to be equally divided among my Daughters and the Executor Shows that a more Particular Discription of said Real Estate is as follows:

Fifteen (15) acres off of the north end of the East half of the north East quarter of section (24) Twenty Four Township Fourteen (14) north and range Two (2) west and allso the East half of the south half of the south north west quarter of the south East quarter of section nineteen (19) Township fourteen (14) north in Range one (1) west In Hendricks County in the state of Indiana containing Ten (10) acres more or less and the Executor shows to the Court that in the year 1882 the Testator sold said ten (10) acres of Real Estate to one H. D. Bartholomew his son in Law for the sum of Four hundred Dollars ($400.00) the said Bartholomew was to pay said sum at the Death of the Testator and was to pay the Testator as long as he lived Interest at the rate of six per cent per peranum on said $400.00 which Interest has been paid except the interest falling due Christmas 1895 that in pursuance to said contract the said H. D Bartholomew took possession of said Real Estate and exercised acts of ownership such as paying Taxes buying tile and puting in tile Drains and paying assessments for constructing a Ditch throug or near said Real Estate and paying the assessment for cleaning out said ditch on or near said Real Estate The Executor allso understands that said Bartholomew is ready to take said Ten acres at the Executors sale at the price agreed on between him and the said Testator and he believes it would be to the best Interest of the Estate to permit the said Bartholomew to now buy said Ten acres at and for the sum of $400.00

Wherefore the Executor asks that an order be mad for the sale of said Real Estate at private sale for one half cash in hand on the day of sale and one half in nine months from the day of sale the different payments to be secured as the law provides in the sale of Real Estate To pay Debts and will the Court allso order that If the said Bartholomew will pay said sum of $400.00 for said ten acres that the same may be sold to him on the terms above mentioned G. C Cooper

Subscribed and sworn to before me this 7" day on January 1896

Enoch G Hogate
Notary Public

And the Court being filly advised in the premises finds that the said Executor should proceed to sell the said Real Estate and that the ten acres described ought to be sold to H. D Bartholomew according to his Contract With the said Decedent at and for the sum of $400.00 the Court so finds that when the said Executor gave Bond as such that he gave Bond in an amount sufficient to cover the sale of said Real Estate as well as to cover the personal property of the Deceased

and now said Executor comes and files an Inventory and appraisment of the said Real Estate from which it appears that the same was appraised at the sum of $650.00 by W. O. McCloud and D. V. Broadstreet Two repatible Householders and freeholders of the neighborhood and not of kin to Either of the Parties to this proceedings Said appraisment reads as follows Towit

State of Indiana Hendricks County

We W. O. McCloud and D. V. Broadstreet swear that we will honestly appraise the Real Estate of Lewis Cooper Deceased which may be exhibited to us

W. O McCloud
D. V. Broadstreet } appraisers

Subscribed and sworn to this — day of January 1896
before Me Gamalie C. Cooper

An Inventory of a Part of the Real Estate of Lewis Cooper Deceased and Decribed as follows Towit Fifteen acres off of the North End of the East half of the North East quarter of section 24 Township 14 North in Range 2 west and appraised by us at the sum of $270

Allso the East half of the south half of the North west quarter of the south East quarter of section 19. Township 14. North in Range one (1) west Ten acres and appraised by us at $380.00

And all appraised by us at $650.00

W. O. McCloud
D. V Broadstreet } appraisers

It is therefore ordered adjudged and Decreed by The Court that said Executor proceed to sell at private Sale without notice of the time place terms or conditions of Sale the following Real Estate in Hendricks County state of Indiana Towit Fifteen (15) Acres off of the North End of the East half of the North East quarter of section Twenty Four (24) Township 14 Fourteen North in Rang Two (2) West and also the East half of the south half of the North west quarter of the south East quarter of section Nineteen (19) Township Fourteen (14) North in range one (1) west containing Ten (10) Acres more or less and that said Executor sell the same for one half cash in hand on the day of sale one half in nine months with six percent Interest on the defered payments secure by a mortgage on the premises the notes for the defered payments To waive relief from valuation and appraisment Laws and to carry attorneys Fees and the said Executor in ordered to sell the said ten (10) Acres Piece above discribed To H. D. Bartholomew at and for the sum of $400.00 on the Terms and conditions above provided but any purchaser may all of his bid cash in hand on the day of sale and the said Executor is hereby authorised to receive payment on the purchaser money at any time before the same becomes due

W Be it remembered That on January 29: 1896 the same being the 21" Judicial day The following Proceedings were Had in the Hendricks Circuit court as follows Towit

In The Matter of the Estate of Lewis Cooper Decd } No. 1346 Land Sale

Comes the Executor by Hogate & Clark his attorneys and files a report of sale herein in The following words

Gamaliel Cooper Executor of The last will and Testament of Lewis Cooper Deceased now comes respectfuly

Shoes to the Court that in pursuance to the order of Sale made herein he did on the 29" day of January 1896 sell at private sale without notice of the time Place terms or conditions of sale to Henry D. Bartholimew for the sum of four Hundred Dollars the Following Real Estate in Hendricks County in the state of Indiana Towit The East half of the south half of the North west quarter of the south East quarter of section Nineteen (19) Township Fourteen (14) North in range one (1) west Ten (10) Acres and the said Henry D. Bartholimew paid down the sum of Four hundred $400.00 Dollars in full of the Purchase Price for said Real Estate and now the Executor asks that the sale herein may be confermed and a Deed ordered Gamaliel C. Cooper
Executor

Subscribed and sworn to before me this 29" day of January 1890
Enock G. Hogate
Notary Public

and the Court being suffiently advised in the premises find that said sale ought to be confermed it is therefore ordered adjudged and Decreed by the Court that said sale be & and the same is hereby in all things approved and confermed and now the said Henry D. Bartholomew appears in open Court and asks that the land so sold to him be Deeded by the said Executor To Rhode Island Bartholomew wife of the said Henry D. Bartholomew and now The Court orders the Executor to make a deed to Rhode Island Bartholomew and report the same to the Court for approval and now the Executor comes and reports to the Court

A deed of Conveyance of said Real Estate
to Rhoda Island Barthelomew which Deed
is Examined and approved by the Court
and his approval indersed there on in the
following words; "Examined and approved
in open Court and ordered delivered to
the purchaser as evidence of title
John P Hadley Judge
All of which is ordered adjudged and
Decreed by the Court

Be it remembered that on
the 10th september 1896 the same being
the 4th day of the septembed Term the
following proceedings were had in the Hendricks
Circuit Court as follows to wit

In the Matter of the Estate }
of Lewis Cooper Deceased }

Comes Gamaliel C. Cooper executor of the last
will and Testemunt of Lewis Cooper Deceased
By Hogate & Clark his attourneys and files
a report of sale of a portion of the Real Estate
of Decedent as ordered by the Will of said
Decedent which report is as follows) to wit
Gamiliel Cooper Executor of the last will and
Testemunt of Lewis Cooper Deceased now comes
and respectfully shows to the court that pursuant
to the order made herein he has sold to
Virginia Cooper for the sum of $400 the following
decribed Real Estate in Hendricks County in the
State of Indiana to wit fifteen Acres off of the
north End of the East half of the North East
quarter of Section Twenty Four (24) Township Fourteen
(14) north in Range Two west for the sum of
four Hundred Dollars $400 cash in hand and that
no person had offered more for said Real Estate
and said sum bid was largely in excess of
the appraisment value He allso shows that
he sold said Real Estate at praisment
Private sale with out notice

of the Time Place Terms or
conditions of sale all in accordance
with the order of the Court and now
The Executor asks that the sale so made
he confirmed and he may be ordered to
make a Deed of convenance to the purchaser
for the land so purchased by her
Gamaliel C Cooper
Executor
Subscribed and sworn to before me
This 10th day of September 1896
Enoch G Hogate
Notary Public
and the Court having Examined the said
report and being fully advised in the
premises find that said report ought to be approved
It is therefore ordered adjudged and decreed
by the Court that said report of sale be and
the same is here by in all things approved and
and confirmed and the sale herby made is
confirmed and now the said Executor is ordered to
report forthwith to the court for approval a Deed
of Conveyance to the purchaser for the Real Estate
so purchased by her and now the said Executor
as he is ordered bring into Court and Exibit
to the Court a Deed of Conveyance to the
purchaser for the Real Estate purchased by her
which Deed is Examined and approved by the
The Court and the approval of the Court is endorsed
on the Deed in these Words:- "Examined and approved
in open Court and ordered delivered to the Purchaser
as and and evidence of her Title John P Hadley Judge
all of which is finely ordered
adjudged and decreed by the Court

attest Mell C Wasten
Clerk

In the Estate of William H. Glover

Be it remembered that on the 11th day of May 1896, the same being the 7th day of May Term, the following Land sale Proceedings were had in the Hendricks County Circuit Court as follows. to wit;

State of Indiana } Hendricks County ss.
Hendricks Circuit Court, May Term, 1896
Millard F Jones Admr,
Estate of William H. Glover,
vs.
Sarah M. Glover
Carrie D. Leitzman
William Leitzman and
Cyrus Osburn,

Comes now the plaintiff by Miles & Miles his attorneys and files his petition herein in the words and figures Millard F Jones, administrator of the Estate of William H. Glover, deceased, respectfully represents and shows to the Court that William H Glover departed this life in the County of Hendricks and State of Indiana on the 28th day of March 1896 intestate, leaving him surviving as his only heirs at law, his widow, Sarah M Glover, and one child, Carrie D Leitzman wife of William Leitzman, all of whom resids in the said County of Hendricks. That at the time of his Declase, said William H. Glover was the owner of personal property of the value of $342.85 as shown by the inventory on file in this Court, That of said amount of personal property the widow selected at the appraised value, personal property to the value of $24.65 as a part of the $500, allowed her by law, That said decedent also at the time of his death was the owner in fee simple of the following described real estate situated in Hendricks County and

State of Indiana to-wit: Part of the South half of the North west quarter of section eight (8) in township fourteen (14) North range one (1) west, and described as follows; viz: Beginning at the South West Corner of said South half quarter and running thence North to within forty (40) rods of the North West corner of said South half quarter thence East one hundred (100) rods; thence North forty (40) rods to the North line of said South half quarter; thence East to the North East corner of said South half quarter; thence South to within three (3) chains and fifty (50) links of the center of said section eight (8); thence West one chain and sixteen (16) links; thence South three (3) chains and fifty (50) links to the South line of said South half quarter; thence West to the place of beginning; Estimated to contain fifty four and sixty hundredths (54,60) acres more or less. Which real estate is encumbered by a mortgage for $1250. executed by said decedent on the 12 day of October, 1895 in which mortgage, his wife the defendant, Sarah W Glover, joined, to one Cyrus Osborn, who is made a defendant, herein.

The petitioner further shows to the Court that said real estate is of the probable value of $1700 and that the personal property not taken by the widow is of the value of $374,92 as shown by the Sale Bill on file in said Court.

That the indebtedness as far as the same has come to his knowledge is as follows;

Balance of $500 due the widow	$475	35
Due on the real estate mortgage to Osborn	1300	00
Due on taxes about	30	00
Due on funeral expenses and last sickness	170	00
Due on General debts	500	00
Expenses of administration probably	150	00

The petitioner further shows and avers that said Sarah W Glover, widow and said Carrie D Leitzman defendants herein, are the owners of said real estate in moieties as tenants in common, and as against the Creditors, that said widow is the owner of one undivided third of said real estate after the payment of the mortgage to said defendant Cyrus Osborn. That said real estate is not susceptible of being partitioned so as to set off the interest of said widow without damage to the interest of the owners therein and of the creditors of said estate,

Wherefore said administrator prays for an order for the sale of said real estate, free from the lien of said mortgage or subject thereto as the Court shall deem to the best interest of said estate, at private sale on such terms as to credits as the Court shall direct.

Millard F Jones, Admstr,

Subscribed and sworn to before me this 6th day of May 1896

David Hadley
Clerk

And now comes all the defendants herein and seperatly file their several answers in the words and figures following;

The defendant Sarah W Glover, widow of said decedent and being of lawful age, hereby waives the issuing and service of summons herein and hereby gives her assent to the sale of the real estate of said decedent as prayed for by said administrator and says that said land is not susceptible of division without injury to the estate of said decedent and to her interest therein and she also consents that her interest

In said real estate be sold by said administrator on a proper decree of the Court, and that he pay into the Court for her benifit her fast of the proceeds of said sale

Sarah M. Glover.

The defendants, Carrie D Leitzman and William Leitzman her husband, both of lawful age, hereby waive the issuing and service of summons herein and hereby give their assent that the real estate of said decedent be sold as prayed for by said administrator

Carrie D. Leitzman
William C Leitzman

And now on motion of the plaintiff this cause is submitted to the Court for trial upon the petition of said administrator the answers of the defendants, consenting to said sale and the evidence produced in open Court, And the Court having heard the evidence and being fully advised in the premis finds that the allegations in said petition are true and that it is necessary to sell the real estate described in the Complaint and hereinafter described for the purpose of paying the debts of said decedent,

And now said administrator files an appraisment of said real estate made by James I Wills and John M Jackson two resident householders and freeholders of the neighborhood in which said real estate is situated in the sum of 115.00 which appraisment is in the words and figures following to wit

State of Indiana Hendricks County

We John M Jackson and James I Wills swear that we will honestly appraise the Real Estate of William H Glover deceased, which may be exhibited to us

James I Wills
John M Jackson } Appraisers

Subscribed and sworn to this 7th day of May 1876 before me

Milland F Jones,

An Inventory all of the Real Estate of William H. Glover deceased and described as follows to wit, A Part of the south half of the north West quarter of section eight (8) in township fourteen (14) North of Range one (1) west, and described as follows, to wit. Beginning at the South west Corner of said South half quarter and running thence north to within forty (40) rods of the north west corner of said south half quarter; thence east one hundred (80) rods; thence north forty (40) rods to the north line of said south half quarter; thence east east to the north east corner of said south half quarter; thence south to within three (3) chains and fifty (50) links of the center of section eight, (8) thence west one (1) Chain and sixteen (16) links thence South three (3) chains and fifty (50) links to the South line of said South half quarter; thence West to the place of beginning; Estimated to contain fifty four and 60/100 acres more or less; Subject to a Mortgage for $1250 dated Oct, 12 1875 with intrest at 8% per annum, and appraised by us at subject to said Mortgage $115.00 and free from said Mortgage at $1365.00

James I Wills
John M Jackson } Appraisers.

And said Administrator now files his bond herein in the sum of one thousand dollars with John Harris and John M, Jackson as his sureties. Which bond is now approved by the Court and is in the words and figures following to wit;

Know all Men by these Presents That we Millard F Jones John Harison and John M Jackson are bound unto the State of Indiana in the penal sum of One Thousand Dollars to pay which we jointly and severally bind ourselves our heirs executors and administrators Sealed and dated the 7th day of May 1896

The Condition of the above Obligation is That as the above bound Millard F Jones Administrator of the Estate of William H. Glover deceased has been ordered by the Circuit Court of Hendricks County to sell all Real Estate of William H Glover Deceased Now if the said Millard F Jones will faithfully discharge the duties of his Trust and render a true and faithful account of all moneys realized from the sale of certain Real Estate belonging to the estate of said decedent, for which he has obtained an order from the Circuit Court of Hendricks County to sell according to law, then the above obligation is to be void else to remain in full force in law,

Millard F Jones (Seal)
John Harrison (Seal)
John M Jackson

Approved the 11 day of May 1896
John V. Hadley Judge

And the Court further finds, that said real estate is not susceptible of being partitioned without injury to the interest of said estate,

It is therefore ordered adjudged and decreed by the Court that said Administrator proceed to sell the real estate described in said petition, to wit; Part of the south half of the north west quarter of section eight (8) in township fourteen (14) North, Range one (1) West and described as follows: to wit:

Beginning at the South west corner of

Said half quarter and running thence north to within forty (40) rods of the north west corner of said South half quarter; Thence east one hundred (100) rods; Thence north forty (40) rods to the north line of said South half quarter; Thence east to the north east corner of said south half quarter; thence south to within three (3) chains and fifty (50) links of the center of said section eight (8) thence west one (1) chain and sixteen (16) links; Thence south three (3) chains and fifty (50) links to the South line of said South half quarter;

Thence west to the place of beginning containing fifty four (54) and 60/100 Acres more or less and situate in Hendricks County and State of Indiana, together with all the interest of the defendant Sarah M Glover therein, as widow of said decedent, subject to the mortgage of the defendant Cyrus Osburn at private sale without notice on the following terms to wit; One half cash and the other half in nine months from the date thereof, the purchaser giving his note with approved security waiving relief from valuation or appraisement laws, and bearing interest at six per cent per annum from date until paid for the deferred payment,

And said administrator is ordered to pay into Court for the further order of the Court one third of the gross proceeds of said sale,

And said administrator is ordered to report his doing herein to the Court for approval,

And this cause is now continued

Estate of Catharine Bedford deceased

Be it further remembred that on the 3" day of January 1897 The same being the 2" day of January Term 1897 the following finally settlement of the land Sale was had in the Hendricks Circut Court as follows to wit:

State of Indiana
Hendricks County ss:
Hendricks Circuit Court
September Term 1896

Millard F. Jones.
Administrator of the Estate of
William H. Glover, deceased,
vs.
Sarah M. Glover
Carie D Leitzman
William Leitzman and
Cyrus Osborn

Final Entry

Comes now Millard F. Jones Administrator of the estate of William H Glover deceased, by Miles & Miles his Attorneys, and makes and files his report of the sale of real estate herein which report is in the words and figures following to wit;

The undersigned administrator of the Estate of William H Glover deceased reports to the Court that pursuant to the order of said Court made in said proceedings he offered at private sale, without notice the real estate described in the decree, to wit; Part of the South half of the North west quarter of section eight (8) in township fourteen (14) north of Range one (1) west and described as follows, viz Beginning at the south west corner of said South half quarter and running thence north to within forty (40) rods of the north west corner of said south half quarter: thence East one hundred (100) rods; thence north forty

(40) rods to the north line of said South half quarter; thence East to the North East Corner of said South half quarter; thence South to within three (3) Chains and fifty (50) links of the center of said section eight (8) thence west one (1) Chain and sixteen (16) links; thence south three (3) Chains and fifty (50) links to the south line of said South half quarter; thence west to the place of beginning estimated to contain fifty four (54) and sixty hundredths 60/100 acres more or less,

The sale to be subject to the mortgage to the defendants Cyrus Osburn; and he made deligent efforts to sell the same in one body, but was unable to find a purchaser for the entire tract. That he then offered the same for sale in parcels and sold to the defendant Sarah M Glover twenty acres off of the west end of said tract for the sum of $635.00 said twenty acres being described as follows, to wit; Commencing at the South west corner of said south half quarter; and running thence east eighty (80) rods; thence north to within forty (40) rods of the north line of said half quarter; thence west eighty (80) rods; thence south to the place of beginning, Containing twenty (20) acres more or less.

And that he sold to Benjamin G. Edmondson the remainder of said tract described as follows, to wit: Beginning on the south line of said half quarter, eighty (80) rods east of the South west Corner thereof thence north to within forty 40 rods of the north line of said half quarter, thence east twenty (20) rods; thence north forty (40) rods to the north line thereof; thence east sixty (60) rods to the east line thereof; thence

South sixty six (66) rods; thence west four (4) rods and sixteen (16) links; thence south fourteen (14) rods to the South line of said half quarter and thence West seventy five (75) rods and nine (9) links to the place of beginning containing thirty four and sixty hundreths (34 60/100) acres more or less, for the sum of $16 50/100

That the amount due the defendant Cyrus Osburn on his note and mortgage is $1374 70/100 and the whole amount of said sale is $1500 00 and excess over said note and mortgage of $125 10/100 and an excess of the appraisement thereof of 10 10/100 That out of said purchase money, said purchaser have paid off and fully satisfied said mortgage and have paid said excess of $125 10/100 to this administrator,

That said sale includes all interest of the defendant Sarah M Glover in said real estate as widow of said decedent,

And he prays that said sale may be confirmed and asks for an order to convey the lands above described to the purchasers as above set out and that he be authorized to pay to said Sarah M Glover, her one third of said sum of $125 10/100

Milland F Jones

Subscribed and sworn to before me this 5th day of January 1897

Ethan A Miles

Notary Public.

And the Court having examined said report approves the same and confirms said sale.

It is therefore ordered by the Court that said Administrator make out and report to the Court deeds of conveyance to said purchasers for the parcels of land so purchased by them, and present them

To the Court for approval

And now said Administrator presents said deeds to the Court and the Court having examined the same approves the same, and having endorsed the approval thereon, orders the Administrator to deliver the same to said purchasers as evridence of their title to the lands by them severally purchased

And said Administrator is ordered to pay to the defendant Sarah M Glover the sum of $41 70/100 her one third part of the proceeds of said sale

Estate of Cathrine Bedford deceased

Be it remembred that on the 12 day of April 1895 the following Petition to Sell Land was filed in the Hendricks County Circuit Court to wit;

State of Indiana Hendricks County, SS.

Conard & Harlan, Administrator of the Estate of Catharine Bedford, deceased

vs.

Mary J Harlan
Nelson F Bedford
Kate L Selsack
Wilbur K Harlan
Robert H Sergent

No. 1323
Petition to Sell Land

The plaintiff says that on the 13th. day of March 1895 the decedent Catharine Bedford, departed this life in the County of Hendricks and State of Indiana, intestate, and that on the day of March 1895 he qualified and gave bond as administrator of the estate of said decedent. He also says that the personal estate of the said decedent as shown by the inventory on file in this Court amounts to the sum of $76.50; that there is a Claim filed against the estate of said decedent, but not yet allowed amounting to the sum of $300, & He also shows that on the 3rd day of December 1894 the decedent executed a mortgage on the real estate herein after described to James L Clark Trustee for Daisy M and John M Estep for the sum of $100 00, and that said mortgage was recorded on the said 3rd day of December 1894 in the mortgage records of Hendricks County Indiana, in Book 29 at page 189. He also shows that the funeral expenses and expenses of the last sickness and expenses of Administration amount to the sum and that there is not enough of the personalty to pay the indebtidness of the estate of the said decedent,

The said administrator also shows to the Court that the decedent did the owner in fee simple of the following real estate in Hendricks County in the State of Indiana to wit, Lot number one (1) in Block number seven (7) in Nave' Addition to the town of Danville which said real estate is encumbered with the mortgage above set out and that said real estate is liable to be made assets to pay the debts of the decedent,

He also says that the defendants above named are the heirs at law and only heirs of the said decedent, and are her children and grand children,

Wherefore he asks for an order of the Court for a sale of the said real estate to make assets to pay the debts of decedent, and that said real estate be sold free and discharged from the lien of the said mortgage

Conard & Harlan
Administrator

Subscribed and sworn to before me this 12th day of April 1895;

Enoch G. Hogate
Notary Public.

Be it further remembered that on the 6 day of May the same being the 1st day of May Term, the following Land Sale Proceedings were had in the Hendricks Circuit Court to wit;

Comes the administrator herein by Hogate and Clark, his attorneys, and shows to the Court the writs of summons issued herein for the defendant Mary J Harlan, from which it appears that on the 20th day of April 1895 the said Mary J. Harlan acknowledged the service of said summons by an endorsement

In writing on the back of the same in the following words; I Mary J. Harlan, do hereby acknowledge the service of this summons upon me this 20th day of April 1895; and waive service by officer or publication in any newspaper. And I do hereby consent that the Hendricks Circuit Court shall have complete jurisdiction of me for the purposes of this suit. Mary J Harlan Said summons reads as follows;

The State of Indiana, Hendricks County ss.
The State of Indiana to the Sheriff of Hendricks County – Greeting

You are hereby commanded to summon Mary J. Harlan to appear in the Circuit Court of Hendricks County before the Judge thereof, on the 6th day of May 1895 being the First day of the May Term held in the Court House in Danville, beginning on the first Monday of May 1895 to answer the petition of Edward E Harlan administrator of the Estate of Catherine Bedford deceased wherein he prays for a sale of the Real Estate of said decedent to make assets to pay her debts and of this writ make due return

Witness the Clerk of said Court and the Seal thereof hereunto affixed at Danville Indiana, this 12th day of April 1895

David Hadley
Clerk of Hendricks C.C.

I hereby certify the above is a true copy of the original Summons

David Hadley
Sheriff.

And the administrator also shows to the Court and files the summons issued to the Sheriff of Madison County Indiana, from which it appears that said summons had been duly served on the defendant Nelson F. Bedford

At least ten days before the 6th day of May 1895; said summons and the return of the Sheriff read as follows;

The State of Indiana, Hendricks County ss.
The State of Indiana to the Sheriff Madison County Greeting

You are hereby commanded to summon Nelson R F Bedford to appear in the Circuit Court of Hendricks County, before the Judge thereof, on the 6th day of May 1895 being the first day of the May Term held in the Court House in Danville, beginning on the first Monday of May 1895 to answer the petition of Edward E Harlan administrator of the Estate of Catherine Bedford deceased wherein he prays for a sale of the Real Estate of said decedent to make assets to pay her debts and of this writ make due return

Witness the Clerk of said Court and the seal thereof hereunto affixed at Danville Indiana, this 12th day of April 1895,

David Hadley Clerk
of Hendricks Circuit Court.

I hereby certify the above is a true copy of the original Summons;

This writ came to hand April 15th 1895 and on the same day was served as commanded by reading to and within the hearing of Nelson F Bedford

John Starr
Sheriff. Madison Co,

And the administrator also shows to the Court the summons issued to the Sheriff of Hendricks County Indiana and the return of that officer endorsed thereon from which it appears that the defendants Kate L Scouce and Wilbur K Harlan had been duly served with said summons at least ten days

Before the first day of the present term of this Court, said summons and the return reads as follows:

State of Indiana Hendricks County SS.

The State of Indiana to the Sheriff of Hendricks County Greeting

You are hereby commanded to summon Kate L Scearce and Wilbur K Harlan to appear in the Circuit Court of Hendricks County before the Judge thereof on the 6" day of May 1895 being the 1" day of the May Term held in the Court House in Danville, beginning on the first Monday of May 1895 to answer the petition of Conard E Harlan administrator of the Estate of Cathrine Bedford deceased wherein he prays for a sale of the Real Estate of said decedent to make assets to pay her debts, and of this writ make due return

Witness, the Clerk of said Court, and the seal thereof hereunto affixed at Danville Indiana this 12" day of April 1895

David Hadley Clerk
Hendricks Co C.C.

Come to hand April 12" 1895 And served as commanded by reading to and within the hearing of the within named Kate L Scearce and Wilbur K Harlan

This the 15" day of April 1895

John T. Bell, Sheriff.

And the administrator also shows to the Court the summons issued to the Sheriff of Montgomery County Indiana and the return of that officer indorsed thereon firm which it appears that said summons had been duly served on the defendant Robert H. Sargent at least ten days before the first day of the present term of this Court Said summons reads as follows:

The State of Indiana Hendricks County SS.

The State of Indiana to the Sheriff Montgomery

County Greeting You are hereby commanded to summon Robert H. Sergent (an Infant) at the house of James E Sergent; to appear in the Circuit Court of Hendricks County before the Judge thereof, on the 6" day of May 1895 being the first day of the May Term held in the Court House in Danville beginning on the first Monday of May 1895 to answer the petition of Conard E Harlan administrator of the Estate of Cathrine Bedford deceased wherein he prays for a sale of the Real Estate of said decedant to make assets to pay her debts, and of this writ make due return

Witness the Clerk of said Court and the seal thereof hereunto affixed at Danville Indiana this 12" day of April 1895

David Hadley Clerk of
Hendricks Circuit Court,

Came to hand April 13" 95 at 4 o'clock p.m. and served as commanded by Reading to and within the hearing of Robert H. Sergent April 15 1895

Chambis E Davis
Shff fee 55¢ Prm. Sheriff.

And the defdants Mary J. Harlan, Nelson F Bedford and Kate L. Scearce failing to appear and answer the complaint herein they are each three times loudly called but come not and herein wholly make default. And the infancy of Wilbur K Harlan and Robert H Sargent is suggested to the Court whereupon the Court appoints James G Miles a reputable attorney of this bar Guardian at litem for said infant defendants. And now comes the said Guardian ad litem and as such files his answer in words and figures as follows, to wit;

State of Indiana, Hendricks County ss.
Conrad E Harlan, administrator
of the estate of Catharine Bedford
deceased,
vs.
Mary J. Harlan, Etal,

Comes now James L Miles appointed by the Court Guardian ad litem for the infant defendants, Hilbur K Harlan and Robert H Sargent, and for answer to the petition herein says he is not informed of any defense to the petition but he denies each and every allegation in the petition contained and demands proof

James L Miles,
Guardian ad litem

And now this cause is called for trial on the petition summons defaults of the adult defendants and the answer of the Guardian ad litim for the infant defendants, and after hearing the evidence and inspecting the proofs the Court doth say and find that the said Cathrine Bedford departed this life intestate in the County of Hendricks on the 13th day of March 1895, leaving as her heirs at law and only heirs the defendants to this suit. That she left a personal estate to be administered of about the sum of $16.50 that there is a Claim filed against said estate but not allowed of about the sum of 300.00 and that there is a mortgage on the said real estate described in the petition of $700.00 payable to James L Clark Trustee of John W and Daisy M Estep which mortgage is dated on the 3rd day of December 1894 and is due in one year from said date. That the indebtedness of the said estate including the expenses of administration and last sickness and funeral expenses is more than the

Personalty. And the Court also finds that the decedent at the time of her death was the owner in fee simple of the real estate described in the petition and that the same is liable to be sold for the payment of the debts of the deceased, and that a sale thereof for that a sale thereof for that purpose is necessary

And now comes said administrator and presents to the Court and files an Inventory and appraisment of the said real estate, from which it appears that the same was appraised by William R McClelland and Ed L Christie two reputable householders and free holders of the County of Hendricks and State of Indiana at the sum of $800.00 Said appraisment reads as follows;

State of Indiana Hendricks County
We William R McClelland and Ed L Christie swear that we will honestly appraise the Real Estate of Catharine Bedford deceased, which may be exhibited to us;

W.R. McClelland } Appraisers
Ed L Christie }

Subscribed and sworn to, this 6th day of May 1895 before me

Enoch J Hogate N.P.

An Inventory of all of the Real Estate of Catharine Bedford deceased and described as follows to wit; Lot number one (1) in Block number seven (7) in Nave's Addition to the Town of Danville in Hendricks County, State of Indiana and appraised by us at $800.00 and appraised by us at

W.R. McClelland }
Ed L Christie } Appraisers

And the administrator also files a bond in the sum of $600.00 Conditioned for the faithful discharge of his duties in and about the sale of said real estate, with William R McClelland & Edward Christie as sureties, which bond and the sureties thereto are approved by the Court, and is the words and figures following to wit; Know All men by these Presents that we Conard & Harlan and William R McClelland are bound unto The State of Indiana in the penal sum of Sixteen Hundred Dollars to pay which we jointly and severally bind ourselves our heirs executors and administrators Sealed and dated the 6th day of May 1895, The Condition of the above obligation is That as the above bound Conard & Harlan Administrator of the Estate of Cathrine Bedford, deceased, has been ordered by the Circuit Court of Hendricks County to sell all of the Real Estate of the decedent Now if the said Conard & Harlan will faithfully discharge the duties of his trust according to law. Then the above obligation is to be void, else to remain in full force in law.

Conard & Harlan (seal)
W.R. McClelland, (seal)

Approved the 6th day of May 1895
John V Hadley Judge
Circuit Court Hendricks County

It is therefore ordered, adjudged and decreed by the Court that said administrator proceed to sell at provate sale without notice of the time place terms or conditions of sale the following real estate in Hendricks County in the State of Indiana, to wit; Lot number one (1) in block number seven (7) in Naves addition to the town of Danville, and that the same be sold

Free and discharged from the lien of the mortgage of the said James I Clark Trustee as found herein. And the said administrator is ordered to sell the said real estate for one third cash in hand on the day of sale, one third in six and one third in twelve months from the day of sale, taking the security for the defered payments as the law provides.

And the said administrator is ordered to report his proceedings to this Court for approval.

Be it further remembred that on the 7th day of September 1897 the Final Report of this land Sale was filed in the Hendricks County Circuit Court and Recorded in O.B. 19 at page 234 and is as follows to wit;

Comes the administrator herein by Hogate and Clark his attorneys and presents to the Court and files a report of the sale of real estate herein which report is in the words and figures following to wit; Conrad & Harlan administrator of the estate of Cathrine Bedford deceased, respectfully reports to the Court that on the 14th day of August 1896 Elizabeth J Scearce offered for lot number one (1) in block number seven (7) in Naves Addition to the town of Danville Hendricks County in the State of Indiana the sum of eight hundred dollars $800.00 and no person offering more and that sum being the full appraised value for the same I sold the same to the said Elizabeth J Scearce at private sale without notice of the time place, terms or conditions of sale for the said sum of eight hundred dollars $800.00,

And the Administrator shows to the Court that since the order of sale was made herein on the 6" day of May 1896 he has constantly had said property for sale and had exhibited the same to different parties and has had offers for the same but that said sum is the most that he has ever been offred for the same by any one who would comply with the offer.

And he also shows that the said Elizabeth S. Seeare had paid her bid in cash instead of on the tums prescribed by the Court.

And now this administrator asks the Court to approve the sale so made at private sale, and so modify the order of sale made herein on the 6" day of May 1896 providing for one third in cash, one third in six months and one third in twelve months from the day of sale and permit him the said administrator to receive the whole of the purchase price in cash in order that he may at once close up the estate of the said decedent.

And the administrator asks that he may now be permitted to report to the Court a deed of conveyance to the said Elizabeth S Seeare for the said real estate purchased by her.

Conard E Harland

Subscribed and sworn to before me this 14" day of August 1896

Enoch J Hogate

Notary Public.

And the Court having examine the said report ~~ought~~ and being fully advised in the premises finds that said report ought to be approved and a deed made to the purchaser

It is therefor ordered adjudged and decreed by the Court that said report

Of Sale so made as above shown be and the same is hereby approved and confirmed, and said administrator is hereby authorized to receive from the purchaser the full amount of the purchase money for the above described real estate, and to that extent the order of sale made herein on the 6" day of May 1896 is modified,

And said administrator is ordered to report to the Court forthwith for approval a deed of conveyance to the purchaser for the real estate by her purchased.

And now said administrator as he is commanded brings into Court and exhibits a deed conveying to the purchaser the real estate so purchased which deed is examined and approved by the Court and his approval endorsed thereon in writing as follows;

Examined and approved in open Court and ordered delivered to the purchaser as an evidence of her title.

John V. Hadley Judge

All of which is finally ordered adjudged and decreed by the Court.

Estate of Joseph G. Hayworth Land Sale

Be it remembered that on the 8th day of September 1896 the same being the 2nd day of the September Term the following Land Sale Proceedings were had in the Hendrick County Circuit Court and Recorded in Q.B. 19 page 243 And is as follows to wit;

State of Indiana Hendricks County ss.
Hendricks Circuit Court Sept.
Term, 1896

Evan Hadley, Administrator
of the Estate of Joseph Hayworth
deceased,
Vs.
Emily M Hayworth
William L Hayworth
Rosetta E Hayworth
Luzena A Hayworth
Ivy E Hayworth
Virgil J Hayworth
Cyrus Osborne
Thomas J Miles Executor
of John Miles, deceased,
and Evan Hadley
Addison Ballard
Cyrus M Hobbs and
Benjamin Vestal, Trustees
of Western Yearly Meeting
of Friends at Plainfield
Indiana

No 1382

Land Sale

Comes now the Administrator by Miles & Miles, his Attorneys and shows to the Court. his petition for sale of land as follows to wit:
The petitioner, Evan Hadley, as administrator of the estate of Joseph G Hayworth deceased shows to the Court: That Joseph G. Hayworth, the said decedent departed this life in said County and State on the 30th day

of May 1896 intestate, leaving surviving him as his only heirs at Emily M Hayworth, widow and William L Hayworth Rosetta E Hayworth, Luzena A Hayworth Ivy M. Hayworth Virgil J Hayworth his children all of whom the makes defendants herein. That all of said children are minors under the age of 21 years.
That at the time of his death said decedent was seized in fee simple of the following described real estate in said County of Hendricks and State of Indiana, and none other, to-wit: The South West quarter of the North East quarter of Section 14, in Township 15 North Range 2 West (except 15 feet in width off of the North end thereof) of a probable value $600.00 And also of the North West quarter of the South East quarter of Section 15 in said Township 15, North Range 2 West, of a probable value of $200.00 That the value of the personal proprity left by said decedent which has come to the possession and knowledge of your petition as shown by the Inventory on file is $226.90,
The said real estate is encumbred as follows to wit: The North West quarter of the South East quarter of section 16 Township 15 North Range 2 West by a mortgage to defendant Thomas J Miles Executor of the last will of John Miles deceased, on which there is now due about $850.00 The South West quarter of the North East quarter of the North East quarter of section 14 Township 15 North Range 2 West by a mortgage to the defendants Eva Hadley Addison Ballard, Benjamin Vestal and Cyrus M Hobbs Trustees the Western Yearly Meeting of Friends of Plainfield Indiana for $938, 50 made May 9 1894 and

Due in 5 years from date with interest at 7% per annum. The whole amount of which with the unpaid interest amounts to about $1000.00. That both of said tracts are further incumbered by a second mortgage to the defendant Cyrus Osborne, for 608.00 due May 18th 1897 with interest from May 18th 1896.

That the taxes accrued against said decedent at the time of his death and remaining unpaid amount to about $56.00 making a total of liens against the real estate of about $2500.00

That the expense of last sickness and the funeral of said decedent amount to about $150.00

That the unpreferred claims against said estate that have come to the knowledge of said administrator amount to about the sum of $2400.00

That the probable expense of Administration will be about $150.00

That there is due the widow, as allowed her by law $500.00

Making a total indebtedness of about $5000.00

That it is necessary to sell all of said real estate to pay said debts.

That the defendant Emily M Hayworth as widow of said decedent is the owner of a one-third interest in said real estate subject to the encumbrances thereon.

That said real estate is not susceptible of division by partition so as to set off the interest of said widow

Wherefore said administrator prays the Court for an order to sell all of said real estate including the interest of the defendant Emily M Hayworth there in subject to the encumbrances thereon at private sale without notice on such terms of payment as the Court shall direct.

Miles & Miles
Attorneys for Administrator

I do solemnly declare and affirm that the facts set forth in the above petition are true to the best of my knowledge and belief.

Evan Hadley
Administrator

Subscribed and sworn to before me this 5th day of August 1896

Othan A Miles N. Public.

The summons issued herein to the Sheriff of this County and the Sheriff's return endorsed thereon, whereby it appears that defendants William L Hayworth Rosetta C Hayworth Luzena A Hayworth Ivy M Hayworth and Virgil J. Hayworth were all served with such summons by said Sheriff by reading, on the 7th day of August 1896, more than ten days prior to the 5th day of September 1896 when said summons was made returnable by indorsement made on the petition herein at the time of filing thereof, which summons and return are in words following:

The State of Indiana, Hendricks County ss.

The State of Indiana, to the Sheriff of Hendricks County Greting:

You are hereby commanded to summon William L Hayworth Rosetta C Hayworth Luzena A Hayworth Ivy M Hayworth Virgil J Hayworth, to appear in the Circuit Court of Hendricks County, before the Judge thereof, on the 5th day of September 1896 being the 2nd day of the September Term, held in the Court House in Danville, beginning on the first Monday of September 1896 to answer the petition of Evan Hadley Admnr of the Estate of Joseph C Hayworth deceased wherein he prays for a sale of the Real Estate of said

Decedant to make assets to pay his debts, and of this writ make due return

Witness the Clerk of said Court, and the Seal thereof hereunto affixed at Danville this 6th day of August 1896

Mell C Master Clerk of Hdks.

C.C.

Came to hand August 6th 1896 And served as commanded by reading to and within the hearing of the within of the within named William L Haywworth Rosetta C Haywworth Luzena A Haywworth Ivy M Haywworth Virgil J. Haywworth.

This the 7th day of August 1896

John T Bell Shff.

And the said administrator now suggests to the Court the infancy of said defendants William L Rosetta C Luzena A Ivy M and Virgil J. Haywworth and the Court now appoints Robert T Hollowell, an Attorney of this Court, Guardian ad litem for said infant defendants and now said Guardian ad litem files his answer as such for said infant defendants in the words following, to wit:

State of Indiana Hendricks County SS.

Hendricks Circuit Court, September Term 1896

Owan Hadley, administrator of the Estate of Joseph G Haywworth, deceased

vs.

Emily M. Haywworth, et al.

Appointed by the Court, guardian ad litem for William L. Rosetta C Luzena A, Ivy M., and Virgil J Haywworth, minor heirs of said Joseph G Haywworth deceased for answer to the petition of said administrator, as such guardian denies each and every allegation in said petition contained, prejudicial to the interests of said infant defendants.

R.T. Hollowell

Guardian ad litem

And now comes defendants Emily M. Haywworth Cyrus Osborne, Thomas J Miles, Executor of John Miles, deceased, and Owan Hadley Addison Ballard, Cyrus M. Hoffs and Benjamin Vestal Trustes of Western Yearly Meeting of Friends at Plainfield, Indiana, and severally file their waivers of the issuing and service of summons herein and give their assets in writing to the sale of the real estate as prayed for in the petition; which waivers and assets are in the words following, to wit:

Comes now Emily M. Haywworth, widow of Joseph G Haywworth, deceased, and hereby waives the issuing and service of summons on her herein, and says that it is true as alleged in plaintiffs petition that the Real estate therein described belonging to said decedent is not susceptible of division so as to set off her interest therein, and she consents to the sale of all of said real estate as prayed for in said petition and she asks that the proceeds derived from the sale of her interest therein be paid into Court for her benefit.

Emily M Haywworth

The undersigned defendants, who are trustes and the only surviving and acting trustes of the Western Yearly Meeting of Friends of Plainfield, Indiana, hereby waive the issuing and service on them of summons herein, and now hereby give their assents to the sale of the real estate described in Plaintiffs petition subject to the mortgage in their favor described in said petition.

Owan Hadley
Addison Ballard
Cyrus M Hoffs
Benjamin Vestal
Trustes.

Thomas J Miles, Executor of the last Will and Testament of John Miles, deceased hereby waives the issuing and service of summons on him herein and assents to the sale of the real estate described in the petition by said administrator Orvie Hadley subject to his said mortgage

R T Hollowell

Attorney for Thos J Miles Ex cto

And now defendants Cyrus Osborn and Thomas J Miles, by R. T. Hollowell their attorney file their several answers to the petition in the words following, to wit:

I Cyrus Osborne, one of the defendants to the petition in the above entitled cause hereby waive the issuing and service of summons on me herein and give my consent to the sale as prayed for in the petition of said administrator

Cyrus Osborn,

The defendant Thomas J Miles, Executor of the last Will and Testament of John Miles deceased, for answer to the petition herein says: That on the 9th day of January, 1891 Samuel Hayworth the then owner of of the real estate hereinafter described together with his wife at that time Selina Hayworth, executed their mortgage to this defendant on the North West quarter of the South East quarter of Section Fifteen in Township Fifteen North and Range two West in said Hendricks County to secure the payment of two certain promissory notes, one for $500 00 due one year after date and one for $500 00 due five years after date with interest payable annually at seven per cent per annum on which notes there is now owing this defendant the sum of

That afterwards to wit on the 31st day of January 1893 said Samuel Hayworth and his said wife conveyed said tract of land to Joseph G Hayworth subject to the lien of said mortgage and said grantee assumed and agreed to pay said note and mortgage as a part of the consideration of said conveyance,

Wherefore this defendant says that the lien of his said mortgage is prior and superior, to the liens of all of the other defendants herein as to the real estate therein described and superior to the claim of the defendant Emily M Hayworth as the widow of said decedent Joseph G Hayworth, and he asks the Court in making an order of sale to protect his interest and for all proper Relief.

R.T. Hollowell Atty for Thomas J Miles Ex, For answer of Cyrus Osborn. See R. 220

Thereupon this cause is submitted to the Court for trial, and after hearing the evidence, and allegations of the parties and being fully advised in the premises, the Court finds that the allegations of the petition are true that it is necessary to sell all the real estate described in the petition for the purpose of paying debts due against said estate. And the Court further finds that Emily M Hayworth widow of said decedent is the owner of an undivided one third of said real estate after the payment of the mortgages thereon as specified in the petition but the partition of said real estate cannot be made so as to set off her interest therein in severalty without great damage to the several owners and the creditors of said decedent

And now the Administrator files his bond in the penalty of $500 00 as required by the Court with John N Hadley as his surety;

Conditioned as required by law which bond approved by the Court and the approval Endorsed thereon which bond is in words and figures following to wit;

Know all Men by these Presents That we Evan Hadley and J N. Hadley are bound unto the State of Indiana in the penal sum of five hundred dollars to pay which we jointly and severally bind ourselves our heirs executors and administrators Sealed and dated the 31st day of August 1896

The Condition of the above obligations is That as the above bound Evan Hadley Administrator of the Estate of Joseph G Haywoth deceased has been ordered by the Circuit Court of Hendricks County to sell all of the Real Estate of Joseph G Haywoth deceased.

Now if the said Evan Hadley will faithfully discharge the duties of his trust according to law then the above obligation is to be void else to remain in full force in law

Evan Hadley (seal)
J N. Hadley (seal)

Approved the 8th day of Sept. 1896
John V. Hadley Judge.

And now said Administrator files an appraisment of said real estate as follows. to wit;

State of Indiana Hendricks County.

We Simon Hadley and Horace M Hodson swear that we will honestly appraise the Real Estate of Joseph G Haywoth deceased which may be exhibited to us.

Horace M. Hodson } Appraisers.
Simon Hadley }

Subscribed and sworn to this 31st day of August 1896 before me

James G Miles Notary Public

An Inventory of all of the Real Estate of Joseph G Haywoth deceased and described as follows to wit;

The north West qu. of the North East quarter of section fifteen Township 15 North Range 2 West 40 acres, Subject to a Mortgage to Thomas J Miles Executor of John Miles for $100 00 and about 8 months Interest.

The South West quarter of the North East quarter of Section 14 Township 15 North Range 2 West except fifteen feet in width of the North side of said tract Subject to a mortgage to the Trustees of Western Yearly meeting of Friends of Plainfield Indiana, for $138 50 and about $7 50 interest

Both of said tracts being also subject to a second Mortgage to Cyrus Osborn for $608. 00 and interest of about $20 00

Assented to the liens of said Mortgages and appraisd by us Subject to the liens of said Mortgages at $900 00

Horace M Hodson } Appraisers
Simon Hadley }

It is therefore ordered and decreed by the Court that said Administrator Sell all of said real estate in bulk or in parcels to wit: The South West quarter of the North East quarter of section 14 Township 15 North Range 2 West except 15 feet in width off of the North end thereof; and the North West quarter of the South East quarter of Section 15 in Township 15 North Range 2 West at private sale without notice to the highest and best bidder for cash subject to the liens of the several Mortgages of Thomas J Miles.

Deceased; of the Trustees of the Western Yearly Meeting of Friends of Plainfield Indiana and of Cyrus Osborne and make report of said sale to this Court.

"Answ. of Cyrus Osborn"

The defendant Cyrus Osborn for answer to the Petition herein says:

That it is true as alleged in said petition that he is the owner of a mortgage for $608.00 executed by the said Joseph D Hayworth deceased together with his wife the defendant Emily M Hayworth, on the 18th day of May 1896 upon the following described real estate in said Hendricks County to wit: The South West quarter of the North East quarter of Section fourteen except 15 ft wide off of north side thereof in Township Fifteen North and Range Two West and the North West quarter of the South East quarter of Section Fifteen in Township Fifteen North and Range two West which mortgage was duly recorded in mortgage record No 31 at Page No 266 in the Recorder's Office of said Hendricks County that there is now owning him on said Mortgage the said sum of $608.00 and interest thereon at 8% per annum from the date thereof

He further says that the lien of his said mortgage is junior to the lien of the mortgage to The Trustees of Western Yearly Meeting of Friends of Plainfield Indiana on the first above described tract and junior to that of Thomas J Miles as Executor of the Estate of John Miles deceased on the second above described tract but he says that the lien of his said mortgage is senior and superior to the claim of the defendants Emily M Hayworth as the widow of said decedent and of all of the other defendants herein, except the said defendants above mentioned

Wherefor he asks the Court in making an order,

Of Sale of said lands protect his rights therein and for all proper relief.

R T. Hollowell
Atty. for the defendant
Osborn,

Be it further remembered that on the 5th day of January 1897 the same being the 2nd day of the January term the Final Report of this land sale was filed in the Hendricks Court Circuit Court to wit;

Comes now Evan Hadley the petitioner herein by Miles & Miles his attorneys and presents and files his report herein of the sale of the real estate described in his petition which report is in the words and figures following to wit:

Evan Hadley administrator of the Estate of Joseph D Hayworth deceased would report to the Court that pursuant to the order heretofore issued herein he proceeded to try to sell said real estate and advertised the same by posting notices in public places in said County and state by putting a local notice in the Plainfield Progress That he was unable to sell said real estate until January 6th 1897 when he received a bid from Cyrus Osborne of one hundred and twenty five dollars subject to the mortgage liens and the interest thereon due on September 1st 1896 which amounted then to the sum of $

And that being the highest and best bid received and the highest and best price he could obtain therefor and more than the full appraised value thereof he sold all of said real estate to wit The South west quarter of the north east quarter of Section fourteen (14) township fifteen (15) north Range two (2) west except fifteen (15) feet off of and along the north side thereof also the

North West quarter of the South east quarter of section fifteen (15) township fifteen (15) north, Range two (2) West all in Hendricks County and State of Indiana, to the said Cyrus Osborn for said sum of $125.00 Subject to said mortgage indebtedness due September 1st 1896. Said Sale to include all interest of the defendant Emily M Haywoth in said real estate as widow of said decedent,

And he asks that said sale be confirmed and that he be ordered to make out and deliver to said purchaser his deed for said real estate as evidence of his title

Evan Hadley

Subscribed and affirmed to before me this 5th day of January 1897

Ethan A Miles
Notary Public.

And the Court being fully advised in the premises confirms said Sale and orders said Administrator to make out a deed of Conveyance to said purchaser for said real estate and report the same to Court for approval,

And now said Administrator presents to the Court for approval his deed of convey ance to said Cyrus Osborn for said real estate Which deed is now in open Court examind by the Court and approved and the Approval endorsed thereon And said Administrator is ordered to deliver said deed to said Cyrus Osborn as evidence of his title to said real estate

Be it remembered that on the 9th day of June 1896 the same being the 32nd day of May Term the following Proceedings were had in the Land Sale of Bertha and Ruth Plasters and recorded in order Book 19 Page. 187.

In the Guardianship
of Bertha and Ruth Plasters.

Comes now John T Bumpfield guardian of the above named minors and files his petition to sell real estate which petition is in words and figures following to wit.

State of Indiana Hendricks County ss
In the Circuit Court November Term 1896

In the Guardianship of
Bertha & Ruth Plasters

John T Bumpfield guardian of the above named minors shows to the Court that his wards live with their mother in Pittsboro and are attending school, That they have no personal property that by an order of this Court made in 1883 the money of said minors was invested in real estate, and the rents and profits of said real estate have not been sufficient to meet the expenses of said minors and keep the taxes and necessary repairs on said real estate paid and in order to meet said expenses this guardian and his predecessors have borrowed money and said guardianship now owes Six hundred dollars ($600.00) money borrowed to meet said deficits as is shown by a current report filed herein by this guardian at the present term of this Court.

That said wards own the following described real estate in Hendricks County and State of Indiana to wit: A part of the

North west quarter of the North west quarter
section one (1) and a part of the North
East quarter of the North East quarter of section
two (2) in Township sixteen (16) North and Range
one (1) West Beginning at the North East corner
of the North West quarter of North West quarter of
said section one (1) thence West to North West corner
of said North West quarter, quarter and continuing
West sixty three (63) rods and nineteen (19) links
into said section two (2); Thence South twenty
four and one half (24½) Rods Thence East to the
East line of said North West quarter, quarter,
Thence North twenty four and one half (24½) rods
to the beginning estimated to contain twenty
two (22) Acres, and which said real estate
is of the probable value of That
it will be necessary to sell said real estate
to make funds to pay said indebtness and
support and provide for said minors

John T Brumfield

Subscribed and sworn to this 1st day of June 1896

James L Clark.

Notary Public.

And the Court having examined said petition
and been fully advised in the premis finds
that the matters and things set out in
said petition are true and that the prayer
of said petition ought to be granted and said
guardian ought to be ordered to sell said real
estate.

And now the Court appoints Enos C Hornaday
and Amos Hoak two disinterested free
holders residing in Hendricks County Indiana
to appraise said real estate.

And now said Guardian files an Appraisement
of said real estate made by said appraisers
in words and figures following, to wit:

State of Indiana Hendricks County ss:

I David Hadley Clerk of the Circuit Court
of said County certify that Enos C Hornaday

and Amos Hoak of said County, have
been appointed by said Court appraisers of the
following Real Estate, to wit: Beginning at the
North East Corner of the North west Quarter ¼ of
the North West Quarter ¼ of Section One 1 in
Township Sixteen 16 North and Range one West
Thence West to the North West corner of said
North West Quarter ¼ Quarter ¼ and containing
West 63 Rods and Nineteen 19 links into Section
Two (2) Thence South 24¼ Rods Thence East to
the East line of said North West Quarter Quarter
Thence North 24½ Rods to the Beginning Estimated
to be 22 Acres, in Hendricks County and
State aforesaid, part of the Real Estate of
. deceased, and they are to
report their appraisement at the Term
thereof.

In Witness Whereof, I have hereunto set my
hand this 1st day of June 1896

David Hadley Clerk

State of Indiana Hendricks County ss
Personally appeared before me James M
Wells a Notary Public in and for said
County and the above named
Appraisers and were sworn truly and
impartially to appraise the property in the above
certificate mentioned.

Enos C Hornaday
Amos Hoak

Subscribed and sworn to before me this 1st
day of June 1896

James M Wells Notary Public.

The undersigned appointed to appraise the
following Real Estate to wit Beginning
at the N.E. Corner of the N.W. ¼ of the N.W. ¼
of Section One (1) in Township Sixteen (16)
North and Range one West Thence West
to the N.W. Corner of said North West Quarter
Quarter and containing West 63 Rods and 19
Links into Section two, 2; Thence South 24½

Thence East to the East line of said Quarter Quarter. Thence North 24½ Rods to the beginning estimated to be 22 acres more or less, the property of deceased of County ~~of~~ and State of Indiana having been duly sworn, report that after due examination of the premises; we are of opinion that said Real Estate is worth Six Hundred and five $605.00 Dollars.

E. C. Hornaday

June 9" 1896 Amos Hoak

And in which said real estate is appraised at Six hundred and five dollars:

And now said guardian files his bond in the sum of thirteen hundred dollars with Ellis M Weaver and H. H. Weaver as his sureties which bond is approved by the Court

The Court now therefore orders that said guardian sell said real estate at private sale without notice to the highest and best bidder for not less than the appraised value

That said sale be made for one third cash one third in six and one third in twelve months and this cause is continued

Be it further Remembered that on the 18" day of May 1897 the same being the 14" day of May Term the following Proceedings were had in this Land Sale and recorded in O.B. 20 Page 161

Comes now John T Brumfield, Guardian of said minors and files his report of the sale of real estate in words and figures following, to wit; Comes now John T Brumfield, Guardian of Bertha and Ruth Alasters and files his report of the sale of real the real estate and shows to the Court that pursuant to the order of this Court made in this matter he offered for sale at private sale without notice the following described real estate, in Hendricks County and State of Indiana, to wit; a

Part of the North West quarter of the North West quarter of section one (1) and a part of the North East quarter of the North East quarter of section two 2 in Township sixteen (16) North and Range one (1) West beginning at the North East corner of the North West quarter of the North West quarter of said section one (1); thence, West to the North West corner of said North West quarter quarter and continuing West sixty three (63) rods and nineteen (19) links into said section two (2); thence South twenty four and one half 24 1-2 rods; thence East to the East line of said North West quarter quarter, thence North twenty four and one half (24 1-2) rods to the place of beginning, containing 22 acres more or less. And on the 18" day of May 1897 John Cunningham and Emma A Cunningham offered therefor six hundred and sixty ($660) dollars cash, and that being the highest and best offer received therefor and more than the full appraised value thereof said real estate was sold to said John Cunningham and Emma A Cunningham for said sum and this Guardian now presents said money in Court and asks that said sale and this report be approved and that this Guardian be ordered to execute a deed conveying said real estate to said purchaser

John T Brumfield
Guardiana

Subscribed and sworn to this 18" day of May 1897
James L Clark N. P.

And the Court having examined said report and been fully advised in the premises finds that said report ought to be

Approved and said sale confirmed

It is therefore ordered adjudged by the Court that said report be approved and said sale of said real estate be and the same is confirmed, and said Guardian is ordered to make and report for the Courts inspection a deed conveying said real estate to said purchaser.
And now comes said Guardian and presents a deed duly signed and acknowledged conveying said real estate to said purchaser which deed is approved by the Court and the Courts approval indorsed thereon in these words, "Examined and approved in Open Court this day of May 1897. John V Hadley Judge.

And now the Court orders said Guardian to deliver said deed to said purchaser

Be it remembered that on the 5th day of October 1896 the same being the 25 day September term 1896 the following Land Sale Proceedings were had in the Hendricks County Circuit Court to wit;

Sarah J Brown Administrator of the Estate of G. W. Brown deceased
vs.
Sarah J Brown Charles M Brown Wilson L Brown
} Land Sale

Comes now Sarah J Brown Administrator of the Estate of George W Brown deceased by Miles and Miles her attorneys and shows to the Court the affidavit of Jno W Cooper Editor of Plainfield Progress a weekly Newspaper of general circulation printed and published in Hendricks County and State of Indiana from which affidavit it appears to the satisfaction of the Court that the notice of the pendency of this petition was duly published in said newspaper three weeks successively the last of which publication was completed at least thirty days before the 9th day of September 1896 the day on which this cause was set for hearing by endorsement on the petition, and the Court finds therefrom that all the defendants herein were duly served with such process.
Thereupon on motion of the plaintiff the defendants Sarah J Brown Charles M Brown Wilson L Brown Geneva A Wooley (now Geneva Slayter) Lenville M Wooley Alphonso G W Wooley, are each three times loudly called but come not and herein wholly make default, and now this cause is

Cause is submitted to the Court for trial and the Court being sufficiently advised in the premises, finds that it is necessary to sell all the real estate belonging to said decedent at the time of his death for the purpose of paying indebtedness against said Estate That said decedent died the owner in fee simple of the real estate herein after described and that the same can not be partioned so as to set off the interest of the widow therein without damage to the owners.

That the above named defendants are the heirs and only heirs of said decedent except Everson L Brown and James A Brown both of whom conveyed before the filing of the petition herein to the defendant Charles M Brown all their interest in the real estate left by said decedent.

And now said Administrator files an appraisement of said real estate, in the sum of seven hundred dollars ($700.00) made by Addison Ballard and Evan Hadley two disinterested freeholders and householders of said County residing in the neighborhood of said Estate, and said Administratrix also files her additional bond for the sale of said real estate in the sum of two thousand ($2000.00) Dollars with Robert W Blair And Evan Hadley the sureties thereon which bond is approved by the Court.

It is therefore ordered and decreed by the Court that said Administratrix sell said real estate, described as follows to wit: The south east quarter of the south east quarter of section thirty one (31) township fifteen (15) north, range two (2) east containing forty acres more or less at private sale notice to be given by printed notices in 10 public places in the township of Guilford

And Washington for not less than the appraised value thereof, on the following terms to wit; one third cash in hand and the balance in six and 12 months from the date of sale and report to the Court her proceedings herein, and this cause is continued

Be it further remembered that on the 9 day of January 1897 the same being the 6 day January term the following Proceedings were had in the Hendricks Circuit Court in said local vale and Recorded in Order Book 17 Page 493 and reads as follows to wit;

Sarah J Brown administrator of Estate of George W Brown Estate
vs,
Sarah J Brown (widow)
Charles M Brown (Child)
Geneva Wollie (grand child)
Alphonso Wollie (" ")
Lennie M Wollie (grand child)
Wilson L Brown (Child)

Comes now Sarah J Brown administratrix of the estate of George W Brown deceased and the above named petitioner by Miles and Miles her attorneys and presents and files the proof of the posting of notices of the sale of real estate described in said petition, which notice and the proof of posting are in the words and figures following to wit

Miles and Miles attorneys County ss.
Probate Cause No. 13.87
In the Circuit Court of Hendricks County Indiana, September Term 1896 Probate cause No. 1387
Sarah Jane Brown, administratrix of the estate of George W Brown deceased vs Sarah

J Brown Charles Brown Geneva Wolfe Alphonso
Wolfe Tessville Wolfe and Wilson Brown
To Charles Brown Geneva Wolfe Alphonso
Wolfe Tennie Wolfe and Wilson Brown, you
are severally hereby notified that the above
named petitioner as administratrix of the estate
aforesaid has filed in the Circuit Court of
Hendricks County, Indiana a petition making
you defendants thereto, and praying therein
for an order and decree of said Court
authorizing the sale of certain real estate
belonging to the estate of said decedent and in
said petition described to make assets
for the payment of the debts and liabilities
of said estate; and that said petition so filed
and pending is set for hearing in said Circuit
Court at the Court House in Danville Indiana
on the 19th Judicial day of the September term 1896
of said Court the same being the 25th day of
September 1896

Witness the Clerk and seal of said Court
this 3rd day of August 1896
Wm C Martin Clerk

State of Indiana Hendricks County ss
Jno W Cooper swears that he is the publisher
of the Plainfield Progress that the same is a
weekly newspaper printed and published in said
County and having a general circulation
therein; that the notice and advertisement
of which a true and correct copy is hereunto
attached and made a part hereof was
published in said paper for 3 weeks
consecutively, to wit; on the following
given dates.

August 6; 13. and — 20. 1896

Jno W Cooper

Subscribed and sworn to before me this 9th day
of September 1896

Eli Johnson J.P.

Administrators Sale of Real Estate

Notice is Hereby Given That on Monday
the 30th day of November 1896 I will offer
for sale at private sale the following
Real Estate in Hendricks County
Indiana to wit;
The South East quarter of the South East
quarter of Section 31 Township 15 North
of Range 2 East.
No bid will be considered which is not
more than the appraised value of the
land
If not sold on that day it will be offered
from day to day thereafter until the
same shall be sold.
The above Real Estate belongs to the
Estate of George W Brown deceased and
will be sold under orders of the Hendricks
Circuit Court.
Terms 1/3 cash 1/3 in 6 months
and the balance in 12 months

Sarah J Brown
administratrix

And now said administratrix also files
her report of the sale of said real estate
to Robert W Blair for the sum of ten
hundred and fifty Dollars, which report
is in the words and figures following
to wit;
Sarah J Brown the above named
petitioner and administratrix of the
Estate of George W Brown deceased would
respectfully report to the Court that pursuant
to the order of this Court entered at
the September Term 1896 thereof, she
caused notices of the sale of the real estate
described in her petition and hereinafter
described to be posted in ten public places
in the township of Washington and Guilford
in said County and State at least fifteen

days before the 2" day of November 1896
a Copy of which notice with the proof of
posting is filed herewith
That on the 2" day of November 1896 the
day specified in said notice she offered said
real estate for sale and continued
to offer the same from day to day until
the present day, when she sold the same
to Robert W Blair at and for the sum
of Ten hundred and fifty Dollars ($1050.00)
that being largely in excess of the
appraisment and the highest and best
bid therefor for cash in hand. And she
asks that said sale be confirmed and that
she be authorized to execute to said
purchaser her deed for said real estate
to wit. The south east quarter of the south
east quarter of section thirty one (31) in
township fifteen (15) North Range two (2) east
containing forty (40) acres, more or less in
Hendricks County State of Indiana
conveying the entire tract including all
interest of herself therein as the widow of
said decedent.

Sarah Jane Brown

Subscribed and sworn to before me this 7"day of
January 1897

Ethan A Miller Notary Public;

And the Court having examined said
report and being fully advised finds that
notice was given and sale made
in all respects in conformity to the
decree of sale herein
It is therefore ordered that said report
be approved and the sale confirmed and
it is further ordered that said
Administratrix make out and report to
the Court for approval her deed as such
Administratrix to said purchaser.
And now said Administratrix presents

To the Court her deed to said Robert
W Blair for said real estate, to wit;
The south east quarter of the south
east quarter of section thirty one (31)
in township fifteen (15) north Range
two (2) east in Hendricks County
and State of Indiana. Which deed is
now examined by the Court and
approved and his approval endorsed
thereon. And said Administratrix
is ordered to deliver said deed to said
purchaser as evidence of his title to
said real estate

Be it remembered that on the 18th day of December 1896 a Petition for the Sale of Real Estate was filed in the Hendricks Circuit Court. said Petition reads as follows to Wit:

State of Indiana }
Hendricks County } Ss. Hendricks Circuit Court
November Term 1896

In the matter of the Estate of James Shirley deceased.

Philiam J Hoadley administrator of Estate of James Shirley deceased
vs.
Robert A Shirley, John N Shirley
Francis M Shirley George W Shirley
Rebecca Crabb Harry Hoadley Era Depew
and Anna Zingenfelter defendants

The undersigned administrator of the estate of James Shirley deceased shows to the Court That said decedent died intestate. That the personal asets amount to nothing That the debts of said estate so far as they have come petitioner's Knowledge amount at about $1,000 00

That said decedent died the owner in fee of the following described real estate in Hendricks County, State of Indiana, to wit; The West half of the South East quarter, and the South East quarter of the South West quarter of Section 21 Township 16 North Range One East containing 120 acres more or less. Of the probable value $4,000 00

That decedent left surviving him no widow, but that he left surviving him the following named children, to wit Robert A. Shirley, John N Shirley, Francis M Shirley, George W Shirley Rebecca Crabb, and the the following named grand children Harry Hoadley Anna Zingenfelter Era Depew and Willis Hoadley, who are the

Children of his deceased daughter Louisa Hoadley said parties being all the heirs at law, and the only heirs at law of the said decedent.

And he says that since the death of said James Shirley the said Willis Hoadley has conveyed all his interest by warranty deed in said real estate to him the said William J Hoadley.

And he further says that before the death of said decedent he said decedent executed to said John N Shirley a mortgage on said real estate dated January 7th 1895; securing the sum of $363.09 which mortgage is recorded in Mortgage record No 3 at Page 81. and is still unsatisfied and a lien on said real estate He says the remaining part of the debt due upon said estate outside of funeral expenses and expenses of last sickness and expenses of administration as a verdict recovered by the said Francis M. Shirley against said estate since the death of decedent, and that there are no other liens except those above mentioned and the taxes upon said real estate;

Said administrator therefor prays an order of Court directing the sale of said real estate for the payment of said debts and liabilities.

W. J. Hoadley

Subscribed and sworn to before me this 26th day of November.

Thomas J Bofes.
Notary Public.

Be it further remembered that on the 30th day of January 1897 the same being the 24th day of Jan. term the following proceedings were had in the above cause to wit;

William J Hoadley Administrator
of the estate James Shirley deceased
vs.
Robert A Shirley John N Shirley
Francis M Shirley George W Shirley
Rebecca Crabb Harry Hoadley Eva
Dejew and Anna Lingenfelter
Defendants.

Comes now William J
Hoadley administrator of said estate and
shows to the Court that due notice has been given
the above named defendants of the filing of
a petition herein to sell the real estate
hereinafter described, to pay the debts of said
estate; by a summons issued to the
Sheriff of Hendricks County directing him to
summon Robert A Shirley John N Shirley Francis
M Shirley Rebecca Crabb Harry Hoadley
Eva Dejew and Anna Lingenfelter as
defendants in said action; And also by a
summons issued to the Sheriff of Monroe
County commanding him to summon
Geo W. Shirley as a defendant in said
action which summons were issued and
served more than ten days before the first
day of the present term of this Court
Which summons and the returns endorsed
thereon are as follows:
The State of Indiana Hendricks County ss.
The State of Indiana to the Sheriff of
said County Greting:
You are hereby commanded to Summon
Robert A Shirley John N Shirley Francis M
Shirley Rebecca Crabb Harry Hoadley Eva Dejew
and Anna Lingenfelter to appear before the
Circuit Court of Hendricks County before
the Judge thereof, on the second day of the next
Term to be held at the Court House in
Danville beginning on the first Monday
of January 1897 to answer the complaint

of W.J. Hoadley Admr. Est James Shirley
deceased On Petition to sell Real Estate
as of this writ make due return

Witness Wm C Martin Clerk of said
Court the seal thereof hereunto affixed
at Danville this 18th day of December 1896
Wm C Martin Clerk

Came to hand December 18 1896 And served
as commanded by reading to and within
the hearing of the within named
Robert A Shirley, John N Shirley Francis
M Shirley Rebecca Crabb Harry Hoadley
and Eva Dejew and by leaving a true
copy of the within at the last and
usual place of residence of the within
named Anna Lingenfelter
This the 24th day of December 1896
W B Bryant Sheriff;

State of Indiana Hendricks County ss.
The State of Indiana, to the Sheriff of Monroe
County Greting: You are hereby commanded
to summon George W Shirley to appear
before the Circuit Court of Hendricks County
before the Judge thereof, on the second day of
the next Term to be held at the Court
House, in Danville, beginning on the
first Monday of January 1897 to answer
the complaint of W.J. Hoadley admr. Est
James Shirley - On Petition to sell Real
Estate and of this writ make due return
Witness Wm C Martin Clerk of said
Court the seal hereunto affixed at Danville
this 18th day of December 1896
Wm C Martin Clerk
State of Indiana Monroe County ss.
Served as commanded by copy left at the
last known and usual place of residence
of the within named defendant Dec. 21st 1896

Gen. D Thornton Sheriff Monroe Co:
And now said administrator suggests to the Court the death of the defendant Anna Tiegenfelter since the filing of said petition and since she was served with notice of the same, and that she left as her only heirs at law Benjamin Tiegenfelter her husband, and her father William J Hoadley, the administrator herein Whose Who are substituted as defendants in her stead, And now also comes the said Benjamin Tiegenfelter and waives his the issuing of summons and the service of the same upon him in said cause and files his answer herein, which answer is in the words and figures following to wit:

State of Indiana }
Hendricks County } Ss.

In the Hendricks Circuit Court January Term 1897

William J Hoadley admr. etc
vs.
Robert A Shirley Etal

Comes now Benjamin Tiegenfelter husband of Annie Tiegenfelter who did since the bringing of this suit and consents to the sale of the Real Estate herein as prayed for in the petition and asks the Court to make the order of sale herein as prayed for.

Buell and Hadley
attys for Benjamin Tiegenfelter

And now comes said John N Shirley and files his answer herein which answer is in the words and figures as follows:

The State of Indiana }
Hendricks County } Ss.

Hendricks Circuit Court
January Term 1897

William J Hoadley
Administrator etc
vs.
Robert A Shirley Etal. } Separate Answer of John N Shirley

The Defendant John N. Shirley for his seperate answer herein admits the allegations of the plaintiffs petition and consents as an heir of said Decedent James Shirley to the sale of the Real Estate mentioned in said petition and further alleges that on the 7th day of June 1895 said Decedent James Shirley by his promissory note of that date promised to pay to said Defendant John N. Shirley the sum of One Thousand and Sixty three Dollars and Nine cents ($1063.09) One day after date and calling for ten per cent attorney fees and Eight per cent interest per annum from date until paid payable at The First National Bank Danville Indiana all without relief from valuation and appraisement laws A copy of which note is herewith filed and made a part hereof and marked Exhibit A"
And plaintiff says that to secure said note on said 7th day of June 1897 said James Shirley secured the same by a mortgage upon the real Estate described in Plaintiff petition which Mortgage was duly signed seal and acknowledged by said James Shirley and delivered to this defendant and was duly on the 5th day of July 1897 recorded in Mortgage Record Number 30 at page 81 of the Records of Hendricks County Indiana"
A Copy of said Mortgage is herewith filed and made a part of this Complaint and marked Exhibit B"

Defendants also avers that said note is now due and wholly unpaid, together with interest and attorneys fees and the same is a valid Lein and subsisting lien on said Real Estate

Therefor he asks that the Court decree that said Real Estate be sold by said Administrator for the purpose of raising assets necessary to pay the debts of said Estate so far as the same may be sufficient, and that said Administrator be directed to the first money derivid from the sale thereof, the same be paid to this defendant as his mortgage interest herein set forth shall appear and he asks for a sale thereof discharged from his mortgage lein herein after the same shall have been paid and for all legal and Equitable relief in the premises

Bull and Haury.
attorneys for Defendant

And now said Robert A Shirley, Frances M. Shirley, George W Shirley, Rebecca, Crabb, Harry Hoadley, and Eva Depew, defendants herein on each of them severally three times loudly called in open Court and come not but herein wholly makes default

And now comes the matters of said petition and said answer are submitted to the Court for trial, finding Judgment and decree without the intervention of a jury, And the Court having heard the evidence and being fully advised in the premises says and finds that the allegations of said petition are true that the said James Shirley deceased left as his heirs and only heirs at law the defendants herein and said Miles Hoadley mentioned in the petition herein That said William J Hoadley plaintiff herein, after the death of said decedent

James Shirley purchased of Miles Hoadley mentioned in said petition all his right, title and interest to the real estate hereinafter described and now owns the same, And that the said Miles Hoadley has no interest in said estate whatever And the Court further finds that John N Shirley holds a mortgage upon said real estate executed on the 7th day of June 1895 to secure the payment to him of a note executed to him by the said decedent

Jane Shirley on said day for the sum of 1063.09 bearing interest at the rate at 8% per annum from date until paid and that said sum with the interest thereon is a lein upon said real estate from the date of its execution

And the Court further finds that there is due thereon for taxes assed against said real estate the sum of $ which is a lien upon the same

And now said Administrator files an inventory and appraisement of said real estate by F M Shoffner and Eli J.A. Bray two reputable free holders and house holders of the neighborhood who appraised the west half of the South East quarter of section 21 township sixteen North in Range one East in Hendricks County State of Indiana at the sum of $2400.00 and the South East quarter of the South West quarter of said section 21 township and Range aforesaid at the sum of $1000.00

And the said William J Hoadley now pursuits and files his bond to secure an order for the sale of said real Estate for the sum of $6800.00 with John N Shirley as his surety thereon which

is now hereby approved by the Court
It is therefore considered declared and
decreed by the Court that the following
described real estate is liable to be sold
to make assets for the payment of the
debts and liabilities of said estate
to wit;
The west half of the South East quarter
of Section 21 township 16 North Range one East
in Hendricks County and State of Indiana
containing 80 acres more or less;
And the South East quarter of the South
West quarter of said section 21 township
and range as aforesaid containing 40 acres
more or less, and said administrator
is hereby empowered and ordered to sell
all of said real estate including
whatever interest he may have in the
same; at Private sale for not less than
its full appraised value, first giving the
notice required by law, for the sale of lands
by administrator
And the Court further finds and decrees
that the aforesaid mortgage of John N
Shirley is a lien upon all of said
real estate, with interest thereon at
the rate of 8% Per annum from the 7th day
of June 1895;
And which mortgage is now due
and remains wholly unpaid
and that the lien of said mortgage
when said real estate is sold shall
be transfered to the funds arising therefrom in the hands of said Administrator
It is further ordered that when said
Administrator shall have sold said
real estate he shall first apply the proceeds
to the satisfaction of the taxes which
are a lien upon said land and then
to the satisfaction of the mortgage debt

of said John N Shirley, and the remainder
to the satisfaction of the debts and
liabilities of said estate in their
order of their priority,
It is also further ordered and
decreed that said real estate be
sold free of said mortgage lien and
free from the lien of said taxes
now due thereon, and when sold
said sale be reported to the Court
for confirmation and approval
It is further ordered that said
land shall be sold by said Administrator
for 1/3 cash in hand 1/3 in 9 and the
Remainder in 18 months from day of
sale the purchaser to execute his notes
with surety to be approved by said
Administrator for the deferred payments
and secured by a mortgage on the
real estate sold,
And it appearing to the Court that it
would be to the interest of said
estate that said real estate be sold
at private sale it is ordered that the same
be so sold and that said administrator
give notice of such sale by three
consecutive insertions one each
week in the Hendricks County
Republican a weekly newspaper in
general circulation printed and published
in said County and State and
by posting up five written or printed
notices in the County three of which
are to be posted in the township
where said land is situated

Be it further remembered that on the 4th
day of June 1897 the same being the 29th day May
Term The Trial Entry in this Land Sale was
filed in the Hendricks Circuit Court as follows viz:

In the matter of the Estate of James Shiley deceased } Final Report.

Comes now William J Hoadley Administrator of said Estate and presents and files his report of the sale of the real Estate of said decedent which reports as follows:

The undersigned Administrator of said estate reports to the Court that pursuant to the order of said Court made in said proceedings, he gave notice as required by law by publication for four consecutive weeks in the Hendricks County Republican, a weekly newspaper printed and published in Hendricks County and State of Indiana. The first of which publication was on the 4th day of February, 1897, and the last which was on the 25th day of February 1897, The proof of publication and copy of said notice are here with filed and made report of this report.

And that he posted copies of said notice in five public places in said County Thrid of which were posted in Lincoln Township the township in which said real estate is situated more than four weeks before the 6th day of March, 1897, The day fixed in said notice for the sale of said real estate. Proof of posting and copy of said notice are filed here with made a part hereof. That he would on the 6th day of March, 1897 at his office in the town of Danville, Indiana, offer for sale at private sale the entire interest of his said decedent in the following described real estate in Hendricks County and State of Indiana, to wit; The West half of the South East quarter of section 21, in township 16 North in Range One East. And also the South East quarter of the South West quarter of said Section 21. same township and Range.

Said notice providing that if no satisfaction bid should be received for said real estate said sale should be continued from day to day until said real estate was sold,

Said administrator reports to the Court that no satisfactory offer was received for said real estate on said day and said sale was continued from day to day until the 14th day of June 1897, when Francis M Shiley offered for said real estate the sum of $3400.00 and that being the full appraised value of said real estate and being the best offer he has received for said real estate he then and there accepted said offer and sold said real estate to said Francis M. Shiley for the sum of $3400.00

And said Francis M Shiley offered to pay all of said money cash in hand instead one third down and the remainder in nine and eighteen months from the day of the sale.

And said administrator asks that the order be so modified as to allow him to accept said purchase money all cash in hand.

And he asks that this report be approved and said sale confirmed and that he be authorized to execute and deliver to said purchasers a deed as evidence of his title to said real estate

W J Hoadley

Subscribed and sworn to before me this 4th day of June 1897

Thomas J Cofer Notary Public.

And ~~the after~~ he also files proof of publication of the notice given by him of said sale which proof of publication and copy of notice of said

sale are as follows;

In the matter of the estate of James Shirley deceased. Notice is hereby given that by virtue of an order of the Hendricks Circuit Court the undersigned administrator of the estate of James Shirley deceased will offer for sale at Private sale at his office in the town of Danville Hendricks County Indiana on Saturday the 6th day of March 1897 the whole of the following described real estate situated in Hendricks county and State of Indiana to wit;

The west half of the south west quarter of section twenty-one (21) township sixteen (16) north range one (1) east and also the south east quarter of the south west quarter of said section twenty one 21 same township and range.

Terms. One third cash in hand the residue in equal payments in nine and eighteen months from day of sale with notes at six per cent interest waiving valuation and appraisement laws. with approved security and secured by mortgage on the real estate sold If said land is not sold on said day said sale will be continued from day to day until the same is sold

State of Indiana Hendricks County ss.

Personally appeared before the undersigned Julian D Hogate editor of the Hendricks County Republican a public weekly newspaper of general circulation printed and published in Danville in the County aforesaid who being duly sworn upon his oath saith that the notice of which the attached is a true copy, was duly published in said paper for 4 weeks successively the first of which publication was on the 4th day of February 1897 and the last on the 25th day of February 1897

Julian D Hogate

Subscribed and sworn to before me this 16th day day of March 1897

Neel C Masters Clerk

He also files proof of posting the notices of said sale which proof of posting and a copy of the notice is as follows.

Milton J Hoadley being duly sworn on his oath says that he posted notices of which the within is a copy in five public places in Lincoln Township Hendricks County and State of Indiana the Township in which the land therein is described is situated more than four weeks before the 6th day of March 1897

W J. Hoadley

Subscribed an Sworn to before me this 4th day of June 1897

Thomas J. Cofer.
Notary Public.

And the Court after examining said report and the proof of publication of the notice and the proof of posting the notices of said sale finds that said sale was made in all respect pursuant to the order heretofore made and entered herein except that said purchaser paid all the purchase money cash in hand instead of paying one third down and the remainder in nine and Eighteen months from day of sale as provided in the order of sale and said order is hereby modified so as to allow said administrator to accept the purchase money all cash in hand and said sale made by said Administrator is hereby in all things confirmed and said administrator is hereby ordered to execute a deed conveying said real estate to said purchaser and bring the same into Court for the approval of the Court.

And now comes said Administrator

and brings into Court a deed duly executed by him as such administrator convey my said real estate to the purchaser Francis M. Shirley and the Court after Examining said deed approves the same and writes his approval thereon in these words. Examined approved in open Court this 4th day of June 1877 John D. Hadley Judge and said administrator is hereby ordered to deliver said deed to said purchaser as evidence of his title to said real estate all of which as ordered adjudged and decreed by the Court.

Be it remembered that on the 13th day of Mar, 13. 1876 Henry S Cox administrator of the Estate Samuel McDaniel filed in the Hendricks Circuit Court a Petition to sell land as follows:

State of Indiana }
Hendricks County } S.S.

In The Hendricks Circuit Court
March Term 1877

In the matter of the Estate
Samuel McDaniel Deceased
Henry S Cox administrator
of the Estate of Samuel McDaniel
Deceased.

Vs.

Maggie McDaniel
Addison Hadley

The undersigned administrator of the Estate of Samuel McDaniel deceased Shows to the Court that said decedent died intestate. That the personal assetts of the Estate amount to about $850.00 That the debts of the Estate. So far as they have Come to the Knowledge of said petitioner Amount to above $1700 Showing and Sufficency of the personal Estate to pay debts and liabilites of said Decedent of 1050.00 or more That said decedent died the owner in fee simple of the following described Real Estate in Hendricks County and State of Indiana to wit;
Fifty (50) acres off of the East side of the East half of the North West Quarter, and Twenty (20) acres off of the west side of the North East Quarter, both tracts in Section Thirty Six 36 in Township fifteen (15) North of Range Two (2) West Estimated to contain Seventy (70) Acres,
of the probable value of 2100.00

The the decedant left surviving him his widow the defendant Maggie Mc Daniel and no other heirs who is the owner of all of said real estate.

Petitioner herein alleges that the defendant Addison Hadley holds a Mortgage on said lands for One thousand Dollars, and interest and said Hadley is made defendant herein to set forth any such lien thereon.

Said Administrator therefore asks an order of the Court directing the Sale of said Real Estate for the payment of said debts and liabilities, and that said Addison Hadley be compelled to set forth his Claim upon said Real Estate

Henry S. Cox

Subscribed and sworn to before me this 12th day of March 1896

Geo C. Harry Notary Public.

In the Matter of the Estate of Samuel Mc Daniel Land Sale Proceedings } Entry.

Comes now Henry S Cox Administrator of the Estate of Samuel Mc Daniel deceased by Bell and Harry his attorneys and shows to the Court that due notice has been given of the filing of the petition herein to sell the real Estate herein after described, to pay the debts of said Estate to Maggie Mc Daniel Sole heir and widow of said decedent, and also to Addison Hadley a Mortgage of said Decedent upon said lands at least ten days before the 30 day of March 1896 which notice and service of Summons is in words and figures as follows, to wit:

The State of Indiana Hendricks County ss.

The State of Indiana to the Sheriff of Hendricks County Greeting

You are hereby commanded to summon Maggie Mc Daniel Addison Hadley to appear in the

Circuit Court of Hendricks County before the Judge thereof on the 25th day of March 1896 being the 21st day of the March Term, held in the Court House in Danville, beginning on the first Monday of March 1896 to answer the petition of Henry S Cox administrator of the Estate of Samuel Mc Daniel deceased.

Wherein he prays for a sale of the Real Estate of said decedent to make assets to pay his debts, and of this writ make due return

Witness the Clerk of said Court, and the seal thereof hereunto affixed at Danville Indiana this 13th day of March 1896

David Hadley

Clerk Hendricks Circuit Court

Came to hand march 13, 1896. And served as commanded by reading to and within the hearing of the within named Addison Hadley and by leaving a true copy of the within at the last and usual place of residence of the within named Maggie Mc Daniel

This the 13th day of March 1896

John T Bell Shff.

And now the above named defendants failing to appear and answer said petition at three times called but come not but herein wholly make default And now the matter of said petition is submitted to the Court for trial and the Court having heard the evidence and being fully advised and informed in the premises find the allegations of the petition to be true that the land herein after described ought to be sold to pay the debts and liabilities of said Estate and

that due notice has been given as aforesaid
And said Henry A Cox having duly
tendered his bond to secure an order
for the sale of said real Estate with
Charles M. Cox as his Surety which is
hereby approved it is therefor ordered
and decreed by the Court that the following
described real estate right to be sold
for the payment of the debts of said
decedent to wit; Fifty (50) acres off of
the East side of the East half of the North
west Quarter and Twenty (20) acres off
of the west side of the North East Quarter
both tracts in Section Thirty Six 36 in Township
Fifteen (15) North Range Two (2) West
Estimated to Contain Seventy (70) acres
more or less, in Hendricks County
Indiana Appraised at Two thousand
One hundred Dollars ($2100.00)
And the Court further decrees that the defendant
Addison Hadley has a valid and Subsisting
Mortgage which is a lien on said real
Estate which Mortgage is now due and
wholly unpaid.
It Is also ordered and decreed that said
Administrator Sell said real Estate free from
said Mortgage and when said Sale to be
reported to this Court for approval
It is further Ordered that said real Estate
be sold for One half cash in hand One
fourth in Six months, and remaining One
fourth in Twelve months from day of Sale
purchaser Securing residue unpaid by
Notes, with Mortgage on said realty;
And it further appearing to the Court that
it would be to the interest of said Estate
that said lands sold at private Sale it
is ordered that the Same be sold at private
sale And that said administrator
give notice thereof by Four Successive

Publication in Hendricks County
Gazette of Danville Indiana
All of which is now Ordered and
decreed by the Court.
Be it further remembered that on the
12th day of May 1896 the same being the
8th day May Term further proceedings
were had in this Said Sale and Recorded
in Order Book 11 at Page 152 and reads as follows:
Comes now Henry A Cox Administrator
of the Estate of Samuel M. Daniel
and reports the sale of all the real
Estate of said decedent pursuant to
an order of this Court to one Harry R
Benbow which report is in words and
figures as follows,
State of Indiana }
Hendricks County } Ss.
In the Hendricks Circuit Court
May Term 1896
In the Matter of the
Estate of Samuel M. Daniel deceased
The undersigned
Administrator of said Estate respectfully
reports to the Court that pursuant to the
Order of this Court heretofore made and
Entered of record he gave notice as
required by law by publication
and posting proofs of which with
Copies of said notices attached are
filed herewith and reads as follows:
State of Indiana Hendricks County Ss.
Personally appeared before the Undersigned
W. A. King publisher of the Hendricks
County Gazette a weekly newspaper
of general circulation printed and published
in Danville in the county aforesaid
who being duly sworn, upon his oath
saith that the notice of which the attached
is a true copy was duly published in said paper

for four weeks successively the first of which publications was on the 2" day of April 1896 and the last on the 23" day of April 1896 and W. A. King ~~the~~
Subscribed and sworn to before me this 4" day of May 1896

David Hadley Clerk

Bril and Harvey attys.

Notice of Sale of Real Estate

In the matter of the Estate Samuel McDaniel deceased

Notice is hereby given that by virtue of an order of the Hendricks Circuit Court of the State of Indiana the undersigned as administrator of the Estate of Samuel McDaniel deceased will offer for sale at private sale at the law office of Bril & Harvey in the town of Danville, Indiana on Saturday May 2. 1896, the following described real estate of said decedent situated in Hendricks County and State of Indiana to wit: Fifty acres off of the east side of the east half of the Northwest quarter, and twenty (20) acres off the west side of the north east quarter both tracts in section thirty six 36 in township fifteen 15 North range two (2) west istimated to contain seventy 70 acres, more or less,

Said sale will be made at private sale and at not less that the appraised value thereof and freed from a mortgage to Addison Hadley thereon for one thousand dollars and interest and if said lands are not sold on said day the sale thereof will be continued from day to day until sold

Terms One half in cash the remainder in equal payments in six and twelve months from date of sale with notes at six per cent in interest waiving valuation and appraisement

Laws. and secured by mortgage upon the real estate sold.

Henry S Cox
Administrator

The State of Indiana }
Hendricks County } ss.

In the Hendricks Circuit Court
May Term 1896

In the matter of the Estate of Samuel McDaniel deceased

Henry S Cox upon oath says that he posted at least five copies of the annexed notice in public places in the vicinity of the real Estate therein described at least four weeks before the day set for sale therein all of which notice posted in public places

Henry S Cox

Subscribed and sworn to before me this 12" day of May 1896

Geo. C Harvey
Notary Public

that he would sell the interest of said decedent in the following described real Estate to wit,

Fifty (50) acres off of the East side of the East half of the North West Quarter and Twenty (20) acres off of the West side of the North East Quarter, both tracts in Section Thirty Six (36) in Township Fifteen (15) North of Range Two 2 west Estimated to Contain Seventy (70) acres more or less in in Hendricks County State of Indiana at private sale at the law Office of Bril and Harvey in the town of Danville Indiana said County on the Second day of May 1, 1896, on the terms prescribed in said Order and on said day he offered said land for sale

at private sale to the highest bidder and receiving no satisfactory bid therefor on said day he Continued the sale thereof until May 12. 1896 at which time Harry R Benbow did bid therefor the sum of Two Thousand Eight Hundred Dollars, and that being the highest and best bid offered therefor and being Seven Hundred Dollars more than the appraisement the said real Estate was Openly Struck off and sold to said Harvey R Benbow and said purchaser paid me down in Cash the sum of One Thousand four hundred Dollars and Executed his notes for Seven Hundred Dollars respectively due in Six and twelve months from date of Sale with attorneys fee and Six per cent intrest per annum from date until paid waiving valuation and appraisement laws, and at the same time Executed his Mortgage on said real Estate in which the wife of said purchaser Joined and said Administrator shows the Court the cash he has received and said notes and Mortgage and ask an order to convey said lands to the purchaser aforesaid and he respectfully asks that that said Sale may be confirmed in all things

Henry S Cox

Subscribed and Sworn to before me this 12th day of May 1896

Geo C Henry Notary Public

And the Court having Examined said report and the notes and Mortgage together with Fourteen Hundred Dollars in Cash Approves the same in all things and Confirms the same and now orders said Administrator

to Execute to the purchaser Harvey R Benbow a proper deed of Conveyance on said purchaser delivering to him the mortgages and notes as aforesaid upon the lands described in said report and Embraced in the deed And now said Administrator presents to the Court his deed of Conveyance to said purchaser and the Court Enters thereon these words Examined and approved in open Court this 12th day of May 1896 John V Hadley Judge Hendricks Circuit Court and said deed as approved is ordered to delivered to the purchaser which is accordingly done

Be it Remembered That heretofore to wit; on the 24th day of September 1896 the same being the 16th day of the September Term 1896 of the Hendricks Circuit Court. before the Honerable John V Hadley sole Judge thereof Proceedings for the Sale of Real Estate were had in the cause of;

In the matter of the Estate of John Atkinson deceased } no. 1385.

Comes now Albert Maxwell, Executor of the last Will and Testament of John Atkinson deceased by Hogate & Clark, his attorneys and files a petition to sell the real estate of the said decedent as provided in the said will of the said decedent as provided in the said last will of the said decedent. Said sale to take place according to the terms and conditions of the said Will

Said petition reads as follows;

State of Indiana - Hendricks County ss;

In the matter of the estate of John Atkinson } Petition to Sell Land.

Albert Maxwell Executor of the Last Will and Testament of John Atkinson deceased shows to the court that he is the ~~only~~ duly and legally appointed and qualified Executor of the Last Will and testament of said decedent and that his will has been duly admitted to probate in the Hendricks Circuit Court and the same now stands as the last will and testament of the said decedent in full force not appealed from or set aside.

He also says that the 1st Item of the will of the decedent reads as follows - to wit;

"Item 1st" after my death my Executor shall proceed to sell at public or private sale without notice and with or without appraisement as he may think to the best interest of my estate all my estate both personal and real the proceeds to be applied as herein provided

And the Executor says that the decedent died the owner in fee simple of the following described real estate in Hendricks County in the State of Indiana to wit;

The East half of the South west quarter of section thirteen (13) township fourteen (14) north in range one (1) East. also the North East quarter of the North West quarter of section twenty four (24) township fourteen (14) north in range one (1) East, containing in all one hundred and twenty (120) acres more or less

And the Executor shows to the court that at the time he took out letters testamentary herein he gave bond sufficient to cover the sale of the real estate herein as ordered by the will of the decedent,

He says that he now elects to sell said real estate at private sale without notice after the same has been appraised and on the order of the order of the court,

Wherefore he asks for an order to sell said real estate at private sale without notice of the time place terms or conditions of sale for one third cash in hand on the day of sale one third in nine moths and one third in eighteen months from the day of sale, the deferred payments to be secured as the statute directs

Albert Maxwell
Executor

Subscribed and affirmed to before me this 18th day of September 1896.

Moses Townsend
Notary Public.

The said Executor also files and appraisement of the said real estate from which it appears that said real estate was appraised by Alonzo H Townsend and William A Haney to reputable householders and free holders of the county of Hendricks in the State of Indiana, and the sum of 3840 00. Said appraisement reads as follows to wit:

State of Indiana Hendricks County

We Alonzo H Townsend and William A Haney affirm that we will honestly appraise the Real Estate

of John Atkinson deceased which may be exhibited to us.

Alonzo H Townsend.
William A Harvey } Appraisers

Subscribed and affirmed to this 22" day of 9" month 1896 before me.

Albert Maxwell Executor

An Inventory of all of the Real Estate of John Atkinson deceased and described as follows, to wit;

The East half of the South West quarter of section thirteen (13) Township fourteen (14) North and Range one (1) East also the North East quarter of the North West quarter of section twenty-four (24) in Township fourteen (14) North and Range one (1) East containing in all 120 acres more or less and appraised by us at 3840

Alonzo H Townsend
William A Harvey } Appraisers.

And the Court from the evidence introduced and the examination of the fond in this estate finds that the said Albert Maxwell at the time he qualified as Executor of the Will of said decedent executed a bond to cover the sale of the above described real estate and that said bond is sufficient And the court finds that said executor ought to sell said real estate as ordered by the said will of the decedent

It is therefor ordered by the Court that the said executor proced to sell at private sale without notice of the time place terms or condition of sale the following described real estate in Hendricks county in the State of Indiana to wit; The east half of the south west quarter of section thirteen (13) township fourteen (14) north in range one (1) east also the north east quarter of the north west quarter of section twenty four (24) township fourteen (14) north in range one (1) east, containing in all one hundred and twenty acres (120) acres more or less, and that he sell the same for one third cash in hand the day of sale one third in nine months from

the day of sale and the balance in eighteen months, and that the defered payment draw six per cent. interest per anhum from date waiving all courses to valuation and appraisement laws as required as the statute directs in such cases.

Be it further remembered that on the 4" day of January 1898 the same being the 2" day of the January term 1898, the following proceedings were had in this case

Comes now the Executor of the will of John Atkinson deceased and files his petition for an order to re appraise the real estate herein ordered sold and for a modification of said order so as to permit him to sell said real estate for cash which petition is in words and figures following, to wit

Albert Maxwell Executor of the will of John Atkinson deceased, respectfully shows to the Court that as ordered by the Court at the September Term 1896 he offered the real estate of said decedent so ordered sold by the Court and described as follows; the East half of the South west quarter of section thirteen (13) in Township fourteen (14) North in Range one (1) East. also the North East quarter of the North west quarter of section twenty four (24) in said Township and Range and all in Hendricks County and State of Indiana and containing 120 acres more or less for sale at private sale without notice on the terms set out in said order of Court, and continually kept said real estate so offered for sale from the time of the condition of said order until now and has received no offer for said real estate equal to the appraised value thereof; That he believes said real estate is appraised to high and that he will not be able to sell the same for the appraised value; And that it is to the interest of the estate of said decedent to have said real estate re appraised and that if it is re appraised he will be able to find a purchaser therefor and he asks.

the Court for an order to have said real estate reappraised and when reappraised to sell the same at not less than the amount at which it is appraised.

Said executor also shows to the Court that he can sell said real estate for cash as he believes and that a cash sale will enable him to pay the debts of said estate and stop the accumulation of interest and will be to the best interests of said estate and he asks the Court to modify the order of sale and permit a sale for cash

Albert Maxwell Executor

And the Court having examined said petition and been fully advised in the premises finds that said reappraisement ought to be made and said order of sale modified as requested

It is therefore now ordered by the Court that said Executor cause said real estate to be reappraised by two reputable and disinterested freeholders who are competent appraisers residing in Hendricks County and in the neighborhood of said real estate

And now comes said Executor and files an appraisement of said real estate made by Alonzo H Townsend and William A Harvy two competent and disinterested freeholders residing in Hendricks County who appraise said real estate at thirty five hundred dollars and which appraisement is as follows, to-wit:

State of Indiana Hendricks County

We Alonzo H Townsend and William A Harvy affirm that we will honestly appraise the Real Estate of John Atkinson deceased which may be exhibited to us

Alonzo H Townsend,
William A Harvy } appraisers.

Subscribed and affirmed to this 4 day 1st mo. before me

Albert Maxwell Executor As Executor of all of the Real Estate of John Atkinson deceased and described as follows, to wit:

The East half of the South West quarter of Section of the North west quarter of Section twenty four (24) all in Township fourteen North and Range one (1) East in Hendricks County and State of Indiana:

and appraised by us at $3500.00

Alonzo H Townsend,)
William A Harvy)appraisers.

And now it is further ordered by the Court that said Exechtor sell said real estate at private sale for cash at not less than the appraised value as fixed by said reappraisement and that said sale be made without notice.

And now comes said Executor and files a report of the sale of said real estate which report is in words and figures following to wit;

Comes now Albert Maxwell Executor of the will of John Atkinson deceased, and shows to the Court that pursuant to the order of this Court heretofore made he offered the real estate of said decedent for sale at private sale without notice at not less than the appraised value for one third cash one third in nine months and one third in eighteen months from day of sale and received no bid therefor

That afterwards on petition a reappraisement of said real estate was ordered by this Court and the Order of Sale modified and this petitioner ordered by this Court and the order of sale modified and this petitioner ordered to sell said real estate for cash at not less than the appraised value thereof as reappraised and that he so offered said real estate for sale, and that William H Hadley offered therefor the sum of thirty five hundred dollars cash and that being the highest and best bid received for said real estate and the full appraised value thereof the said bid was accepted and said real estate sold to said William H Hadley for said sum of thirty

five hundred dollars and this Executor now brings said sum of thirty-five hundred dollars and this Executor now brings said money into Court and asks the Court to approve said sale and this report thereof and order this Executor to convey said real estate which is described as follows; the East half of the South West quarter of section thirteen (13) in Township fourteen North and Range one (1) East and the North East quarter of the North West quarter of section twenty four (24) in said Township and Range all in Hendricks County and State of Indiana to said Purchaser.

Albert Maxwell
Executor of the Will of John Atkinson deceased.

Subscribed and ~~sworn~~ affirmed to this 4th day of January 1898.

Jas L Clark (Notary Public)

And the Court having examined said report and been fully advised in the premises finds said sale and report to conform to law and the order of the Court in this cause and that said sale and report ought to be approved.

It is therefore ordered and decreed by the Court, that said sale and said report thereof be and are in all things confirmed and approved by the Court.

And now the Court ordered said Executor to execute and present for the Courts examination a deed conveying said real estate to said purchaser

And now said Executor presents to the Court a deed duly acknowledged conveying said real estate to wit: The East half of the South West quarter of section thirteen (13) and the North East quarter of the North West quarter of section twenty four (24) all in Township fourteen North and range one (1) East in Hendricks County and State of Indiana to William H Hadley. And the Court having examined

said deed approves the same and indorses his approval thereon in open Court and in these words" Examined and approved in open Court this the 4th day of January 1898 John V Hadley Judge" and now said Executor is ordered to deliver said deed to said purchaser as an evidence of his title

Be it remembered that on the 3rd day of August 1898 In Vacation the following Petition was filed In the Clerks office of the Hendricks Circuit Court.

State of Indiana }
Hendricks County } Ss.
Hendricks Circuit Court. September Term 1896

Sarah J Brown administratrix
of the Estate of Geo W Brown Deceased,

Vs,

Sarah J Brown
Charles M Brown
Geneva Wollie Slayter
Alphonso G W Wollie;
Lennie M Wollie.
Wilson L Brown

Comes now Sarah Jane Brown administratrix of the estate of George W Brown deceased. and represents and shows to the Court that said decedent died on the 4th day of October 1895 intestate and the owner in fee simple of the following described real estate in said Hendricks County and State of Indiana to wit the South East quarter of the South East quarter of Section thirty one (31) township fifteen (15) north range two (2) east containing 40 acres

That said decedent left no personal estate whatever.

That there are no liens of record against said estate that the taxes accrued against said estate at the time of the death of said decedent amount to about the sum of fifteen $15.00 Dollars That there is an indebtedness against said estate to this administratrix of Five Hundred Dollars.

And for funeral expenses of one hundred and fifty Dollars and the probable expenses of administration will be seventy dollars.

That said real estate is of a probable value of One thousand dollars

That this administratrix is the widow of said decedent and was his fourth wife That said decedent

left surviving him as children by his former marriages Charles M Brown Everson L Brown James H Brown and Wilson Brown and Mary Wollie since deceased who left surviving her Geneva Wollie Slayter Alphonso G Wollie and Lennie M Wollie her children and

That said Everson L Brown and James H. Brown have sold their interest in said real estate to the said Charles M Brown

That he left no children by his last marriage

That this administratrix is entitled to a life estate in one third in said real estate

That said real estate can not be partitioned without detriment to the interest of said estate

That it will be necessary to sell all of said real estate to pay the debts of said estate

Wherefore she asks the Court for an order to sell all of said real estate and to pay to herself as widow of said decedent the proceeds of the sale of her said life estate therein on such terms of credit as the court shall order

Miles & Miles
attorneys for Pltff.

Sarah J Brown the petitioner being duly sworn says that the matters set forth in the above petition are true as she verily believes

Sarah Jane Brown,

Subscribed and sworn to before me this 3rd day of August 1896

Ethan A Miles
Notary Public.

State of Indiana }
Hendricks County } Ss:

Sarah J Brown being duly sworn upon her oath says that the defendants Charles M Brown Wilson Brown Alphonso Wollie and Lennie Wollie and the residence of Geneva Wollie is unknown to her are non residents of the State of Indiana and are necessary parties to this petition

Sarah Jane Brown

Subscribed and sworn to before me this 3rd day of August 1896.

Ethan A Miles
Notary Public.

The Clerk will issue notice for Publication to all the defendants except Sarah J. Brown returnable on September 28" 1896. The 19" day of September Term 1896

Miles & Miles attys.

Be it further remebred That on the 5" day of Oct 1896 the same being the 25" day of October 1896 the following proceedings were had in this cause

Sarah J Brown Administratrix of the Estate of George W Brown deceased.
vs.
Sarah J Brown Charles M Brown Wilson L Brown

Comes now Sarah J Brown administratrix of the Estate of George W Brown deceased by Miles & Miles her attorneys and shows to the Court the affidavit of Jno W Cooper Editor of the Plainfield Progress a weekly newspaper of general circulation printed and published in Hendricks County, and State of Indiana from which affidavit it appears to the satisfaction of the Court that the notice of the pendency of this petition was duly published in said newspaper three weeks successively the last of which publications was completed at least thirty days before the 19" day of September 1896 the day on which this cause was set for hearing by endorsement on the petition and the Court finds therefrom that all the defendants herein were duly served with such process.

Thereupon on motion of the plaintiff the defendants Sarah J Brown Charles M Brown Wilson L Brown Geneva A Wooley now Geneva Slayter Lemuel M Wooley Alphonso D W Wooley are each three times loudly called but come not and herein wholly make default

And now this cause is submitted to the Court for

trial and the Court being sufficiently advised in the premises finds that it necessary to sell all the real estate belonging to said decedent at the time of his death for the purpose of paying indebtedness against said Estate That said decedent died the owner in fee simple of the real estate herein after described and that the same can not be partitioned so as to set off the attest of the widow therein without damage the owners.

That the above named defendants are the heirs and only heirs of said decedent except Everson L Brown and James H Brown both of whom conveyed before the filing of the petition herein to the defendant Charles M Brown all their interest in the real estate left by said decedent.

And now said administratrix files an appraisement of said real estate in the sum of seven hundred dollars $700.00 made by Addison Ballard and Evan Hadley two disinterested freeholders and householders of said County residing in the neighborhood of said Estate And said administratrix also files her additional bond for the sale of said real estate in the sum of two thousand $2000.00 Dollars with Robert W Blair and Evan Hadley the sureties thereon which bond is approved by the Court.

It is therefore ordered and decreed by the Court that said administratrix sell said real estate described as follows to wit

The South east quarter of the south east quarter of section thirty one (31) township fifteen (15) north range two (2) east containg forty acres more or less at private sale notice to be given by printed notice in 10 publications in for not less than the appraised value thereof on the following terms, to wit; one third cash in hand and the balance in six and 12 months from the

date of sale and report to court her proceedings herein and this cause is continued
Said administratrix also files the appraisement of said Real Estate which is as follows;

State of Indiana Hendricks County
We addison Ballard and Eva Hadley affirm that we will honestly appraise the Real Estate of George W Brown deceased which may be exhibited to us.
Addison Ballard,
Evan Hadley. } appraisers
Subscribed and affirm to this 5th day of Sept. 1896 before me
Eli Johnson J P.

An Inventory of all of the real Estate of George W. Brown deceased and described as follows, to wit;
The South East quarter of the South East quarter of section thirty one (31) township fifteen (15) north range two (2) East containing forty (40) acres appraised at by us at $700.00
Addison Ballard
Evan Hadley } Appraisers

Be it further remembered that on the 9th day of January 1897 the same being the 5th day of January Term 1898 the following further proceedings were had in the Hendricks Circuit Court:
Sarah J Brown administratrix
of Estate of George W Brown's Estate
vs.
Sarah J Brown (widow)
Charles M Brown (child)
Geneva Wollie (grand child)
Alphonso Wollie (grand child)
Lenville M Wollie (grand child)
Wilson L Brown. (child)
Comes now Sarah J Brown administratrix of the estate of George W Brown deceased and the above named petitioner by Miles & Miles her attorneys and presents and files the proof of the posting of notices of the sale of real estate described in said petition, which

notice and the proof of posting are in the words and figures following to wit (H.d.)
~~Add now said administrator~~
Miles and Miles attorneys
Probate Cause No. 1381
In the Circuit Court of Hendricks County Indiana September Term 1896. Probate cause No 1381
Sarah Jane Brown administratrix of the estate of George W Brown deceased. vs. Sarah J Brown Charles Brown Geneva Wollie Alphonso Wollie Lenville Wollie and Wilson Brown;
To Charles Brown Geneva Wollie Alphonso Wollie Lenville Wollie and Wilson Brown you are severally hereby notified that the above named petitioner as administratrix of the estate aforesaid has filed in the Circuit Court of Hendricks county Indiana a petition making you defendants thereto and praying therein for an order and decree of said Court authorizing the sale of certain real estate belonging to the estate of said decedent and in said petition described to make assets for the payment of the debts and liabilities of said estate and that said petition so filed and pending is set for hearing in said petition so filed and pending is set for hearing in said petition so filed and pending is set for hearing in said Circuit Court at the Court House in Danville Indiana on the 19th judicial day of the September term 1896. of said court the same being the 25th day of September 1896.
Witness the Clerk and seal of said court this 3rd day of August 1896.
Seal
Will C Marten Clerk

State of Indiana Hendricks County Ss.
Jno. W Cooper, swers that he is the publisher of The Plainfield Progess. that the same is a weekly newspaper printed and published in said county and having a general circulation therein; that the notice and advertisement of which a true and correct copy is hereto attached and

and made a part hereof was published in said ~~proper~~ papers for 3 weeks consecutively to wit; to wit the following given dates

August 6th 13th and 20th 1896.

Jno. W Cooper.

Subscribed and sworn to before me this 9th day of September 1896.

Eli Johnson J P.

Administrators Sale of Real Estate

Notice is hereby given That on Monday the 20 day of November 1896 I will offer for sale at private sale the following Real Estate in Hendricks County Indiana to wit:

The South East quarter of the South East quarter of section 31 Township 15 North of Range 2 East.

No bid will be considered which is not more than the appraised value of the land.

If not sold on that day it will be offered from day to day thereafter until the same shall be sold.

The above Real Estate belongs to the Estate of Geo. W Brown deceased. and will be sold under order of the Hendricks Circuit Court.

Terms 1/3 cash 1/3 in 6 months and the balance in 12 months.

Sarah J Brown

administratrix

And now said administratrix also files here report of the sale of said real estate to Robert W Blair for the sum of ten hundred and fifty dollars which report in in the words and figures following to wit.

Sarah J Brown the above named petitioner and administratrix of the Estate of Geo W Brown deceased. would respectfully report to the Court that pursuant to the order of this Court entered at the September Term 1896 thereof she caused notice of the sale of the real estate

described in her petition and hereinafter described to be posted in ten public places in the townships of Washington and Guilford in said County and State at least fifteen days before the 2nd day of November 1896 a copy of which notice with the proof of posting is filed herewith;

That on the 2nd day of November 1896 the day specified in said notice she offered said real estate for sale and continued to offer the same from day to day until the present day when she sold the same to Robert W Blair at and for the sum of Ten hundred and fifty Dollars. 1050 that being largely in excess of the appraisement and the highest and best bid therefor for cash in hand.

And she asks that said sale be confirmed and that she be authorized to execute to said purchaser her deed for said real estate to wit The south east quarter of the South east quarter of section thirty one (31) in Township fifteen (15) North Range two (2) East containing forty (40) acres more or less, in Hendricks County State of Indiana conveying the entire tract including all interest of herself therein as the widow of said decedent.

Sarah Jane Brown

Subscribed and Sworn to before me this 9th day of January 1897.

Ethan A Mills N.P.

And the Court having examined said report and being fully advised finds that notice was given and said sale made in all respects in conformity to the decree of sale herein

It is therefore ordered that said report be approved and the sale confirmed and it is further ordered that said administratrix make out and report to the

Court for approval her deed on such
administratrix to said purchaser
And now said administratrix presents to the
Court her deed to said Robert McBlair for said
real estate to wit: The South east quarter of the
South east quarter of section thirty one (31) in
township fifteen (15) north Range two (2)
east in Hendricks County and State of
Indiana which deed is now examined by the
Court and approved and his approval
endorsed. Thereon And said
Administratrix is ordered to deliver said
deed to said purchaser as evidence of his
title to said real estate

Be it remembered that on the 11th day of March.
1897 the same being the 10th day of the March Term
1898. the following proceedings were had in the
land sale of Andrew J Lowry's Estate

State of Indiana Hendricks County ss.
In the Circuit Court March Term 1897.
Alfred R. Glover administrator
of the Estate of Andrew J Lowry
Deceased.
vs.
Edgar Lowry
Rosa Lowry

Plaintiff complains of
defendant and says that plaintiff decedent
Andrew J Lowry died in Hendricks County
and State of Indiana owning in fee the following
described real state in Hendricks County and
State of Indiana, to wit: A part of the West half
of the South East Quarter of Section thirty
three (33) Township fifteen (15) North and
Range one (1) West. Commencing at the
North West corner of said quarter; Thence South
twenty four (24) Rods; Thence East seventy eight
(78) rods and thirteen (13) feet thence North
twenty four (24) rods; thence West seventy eight
(78) rods and thirteen (13) feet. the place
of beginning
That the defendants are the only heirs
of said decedent,
That the personal estate of said decedent
amounts to twenty three dollars.
That there is a mortgage on said real
estate for $300.00 to the School fund of the
State of Indiana
There are no other liens against said real
Estate
That it is necessary to sell said real estate
to pay said debts and plaintiff asks for order to sell

the same on such terms as the Court may order

A R. Glover admr.

Subscribed and sworn to this 10th day of March 1897

Jas L Clark.

Notary Public.

Be it further remember that on March the 20th 1897 thereafter following proceedings were had in this cause

Comes now the plaintiff in the above entitled cause and suggests the infancy of each of the defendants:

And it appearing to the satisfaction of the Court that each of said defendants had been served with process in this cause more than ten days before the 22nd day of March the date on which process herein was made returnable by writing on the petition signed by petitioners attorney The Court now appoints Geo C Harvy an attorney of this Court as guardian ad litem for said infant defendants.

And now comes said Geo C Harvy and accepts said appointment and files his answer in words following to wit: Geo C Harvy guardian ad litem for Edgar and Rosa Soury infant defendants in this cause for answer to the complaint denies each and every material allegation in the complaint

Geo. C. Harvey

Guardian Ad litem

And this cause being at issue is submitted to the court for trial finding and decree without the intervention of a jury.

And the Court having heard the evidence and been fully advised in the premises finds generally for the petitioner

And that the real estate ought to be sold discharged from liens to make assets to

to pay debts.

And now comes again said petitioner and files an appraisement of said real estate made by B F Bolen and Oscar K Weesner. in which said real estate is appraised at five hundred and fifty dollars Said appraisement is in words and figures following to wit:

State of Indiana Hendricks County.

We B. F. Bolen and Oscar K Weesner swear that we will honestly appraise the Real Estate of Andrew J Soury deceased which may be exhibited to us.

B F Bolen.

Oscar K Weesner } Appraisers

Subscribed and sworn to this 23rd day of March. 1897 before me

A R. Glover admr.

An Inventory of All of the Real Estate of Andrew J Soury deceased and described as follows. to wit:

A part of the West half of the South East. quarter of section 33 Township 15 North and Range 1 West. commencing at the North West corner of said quarter; Thence South 24 Rods. Thence East 08 Rods & 13 feet Thence North 24 rods; Thence West 78. Rods & 13 feet to the place of beginning; All in Hendricks County and State of Indiana

We the undersigned appraisers appraise the above tract of land given in said description at five hundred and fifty dollars $550.00 and appraised by us at $550.00

B F Bolen

Oscar K Weesner } Appraisers

Said Administrator also files his bond in the sum of Eleven hundred dollars with John S Hone as surety which bond is approved by the Court and is in these words to wit

Know all men by these Presents That we

Alfred R Glover and John J Stone are
bound unto the State of Indiana in the penal sum
of Eleven hundred Dollars to pay which
we jointly and severally bind ourselves our
heirs executors and administrators
Sealed and dated the 24" day of March 1897.
The Conditions of the above Obligations is That as the
above bound Alfred R Glover administrator
of the Estate of Andrew J Lowry deceased has been
ordered by the Circuit Court of Hendricks
County to sell all of the Real Estate of the
said Andrew J Lowry deceased
Now if the said Alfred R Glover will
faithfully discharge the duties of his trust
according to law then the above obligation
is to be void else to remain in full force
in law.

Alfred R Glover
John J Stone

Approved the 26" day of March 1897.
John V Hadley Judge

State of Indiana Hendricks County ss.
I John J Stone swear that I am worth over
and above my indebtedness — 00 Dollars and I
believe so help me God.

Subscribed and sworn to before me the 24" day of
March 1897.
J J Miller Justice Peace

It is therefore ordered that said petitioner Alfred
R Glover administrator of the estate of andrew
J Lowry deceased sell at private sale without
notice to the highest and best bidder for cash
the following described real estate in Hendricks
County and State of Indiana to wit a part
of the West half of the South East quarter of
Section thirty three (33) in Township fifteen
(15) north and Range one (1) west commencing at
the North West corner of said quarter;
Thence south twenty four (24) rods; thence East
seventy eight (78) rods and thirteen (13)
feet. Thence North twenty four (24)
rods; thence West seventy eight (78) rods
and thirteen (13) feet to the place of
beginning as the property of the
estate of Andrew J Lowry deceased.
Said real estate shall be made free
and discharged from the lien of the
mortgage to the School Fund of the
State of Indiana for three hundred dollars
and the lien of said Mortgage shall be
transferred to the funds arising from
said sale. When a sale is made a report
thereof shall be made to this Court for approval:

Be it further remembered that on the 3" day
of May 1897. the same being the 1" day of
the May Term 1897 the Final Report was filed
in this cause and in as follows to wit
Comes the administrator herein by Hogate and
Clark his attorneys and shows to the Court
that he has sold the real estate of the
decedent as ordered by the court, and now
files his report of sale in the following
words; Comes now Alfred R Glover Administrator
of the estate of andrew J Lowery deceased and
shows to the court that on the 7" day of
April 1897 in pursuance to the order of the
Court herein he sold to Daniel M Richardson
the following real estate in Hendricks County
in the State of Indiana to wit; A part of
the west half of the south east quarter of
section thirty three (33) township fifteen (15)
north in range one (1) west described as follows
to wit, Commencing at the west corner of said
quarter; thence south twenty four (24) rods;
thence east seventy eight (78) rods and
thirteen (13) feet; thence north twenty four (24)
rods; thence west seventy eight (78) rods and
thirteen (13) feet to the place of beginning for the

the sum of seven hundred dollars $700.00
cash that is to say the said Daniel
M Richardson assumed to pay the interest
and principal of a school fund mortgage
on the said real estate and pay the
balance of the purchase money in cash;
And the administrator says that he accepted
the said bid of the said Daniel M Richardson
that being the highest and best bid offered for
the same and that sum being the highest
and best bid offered for the same and that
sum being more than the full appraised value
for the said real estate; He therefore
executed to the said Daniel M Richardson a
certificate of purchase for the real estate so purchased
as above set forth providing for a deed of conveyance
if the sale so made and here reported is
approved by the court.

And the administrator asks the court
to approve the sale so made and here reported
and order a deed of conveyance to the said
Daniel M Richardson.

And the administrator shows to the court that
in the order of sale made herein he was ordered
to sell said real estate free of the lien of the
said mortgage, and that the mortgage should
attach to the proceeds of the sale. But he
shows to the court that he could make a more
advantageous sale of the said real estate
by selling the same subject to the mortgage
Wherefore he asks that the order of sale herein
may be so modified that he may sell the
said real estate subject to the said mortgage
And he prays for all proper relief.

Alfred R Glover.
Administrator

Subscribed and sworn to before me this 3rd day of May
1897.
James I Clark N.P.

And the court having examined the said
report and being fully advised in the premises
finds that the said report ought
to be approved.

It is therefore ordered adjudged
and decreed by the court that the above
report of sale be and the same is hereby
in all things approved and confirmed
and the said administrator is now
ordered to report forthwith to the court for
approval a deed of conveyance to the
purchaser; and now the said
administrator as he is commanded into
court a deed of conveyance for the said
real estate which deed is examined and
approved by the court and his approval
endorsed thereon in these words;
Examined and approved in open court and
ordered to the purchaser as an evidence of
title; John V Hadley Judge;

And the Court also orders that the
order of sale herein be and the same is now
so modified that the said real estate be
sold subject to the mortgage to the School
fund and not free of the mortgage
All of which is finally ordered
adjudged and decreed by the Court.

Jacob K Moore Estate

Be it remembered that on the 14th day of January 1896 the same being the 10th day of the January Term 1896 the following proceedings were had in the Land Sale of Jack K Moore deceased.

Come the Executors herein by Hogate & Clark their attorneys and present to the court and file a petition to sell the real estate of the decedent as provided in the will of the said deceased. said petition is in the words and figures following to wit:

John S. Moore and Patterson F Moore hereby represent that Jacob K Moore died testate in the county of Hendricks and State of Indiana on the 13th day of December 1895 and that his Last Will and Testament has been duly and legally probated in the Hendricks Circuit Court and that the judgment of probate stands in full force, not set aside or appealed from They further show to the court that on the 9th day of January 1896 they each qualified and gave bond as Executors of the said Last Will and Testament of said decedent they having been nominated in the will of said decedent as such Executors, and they are now acting as Executors of said last will and Testament

They further show that the second (2nd) and third 3rd Items of the said will of said decedent read as follows to wit;

Item 2nd I will and bequeath unto my grand-son Jacob M Blake, son of my daughter Antoinette & Blake the west half of the vacant ground I own at this time in Lots three (3) and four (4) in Block. twelve (12) in the town of Danville Indiana the said west half of said vacant ground joining the brick block I now own in said Town And the east half of said vacant grounds in said lots and block I will and devise to my grand-son Jacob Wilkie son of my daughter Susan A Wilkie The said Jacob M Blake and the said Jacob Wilkie to hold the parts hereby willed to them in fee simple

Item 3rd all the balance of my real estate wherever situate I hereby ordered sold by my Executors, to be hereafter named at such time or times as my said Executors shall seem to be to the best interest of my estate and the proceeds arising from the said sale I want divided among my children viz: Susan A Wilkie, John S Moore Antoinette & Blake and Patterson F Moore, and to the children of such as are dead share and share alike the children of a deceased parent to take a parents part: Before the sale of said real estate by my Executors I want my real estate hereby ordered sold rented out and the proceeds arising from the rents thereof I want divided among my children above named in the same way as the proceeds from the sale of said real estate is ordered divided

And the Executors show to the court that all of the real estate, owned by the said Jacob K Moore, at the time of his death, and not disposed of by his will is described as follows.

Twenty four (24) feet off of and clear across the west side of lot three (3) in block twelve (12) Also lots three (3) and four (4) in Block eleven (11) all in the town of Danville Hendricks Co. in the State of Indiana;

And they also show that when they applied for letters testamentary herein they each gave bond covering not only the value of the personal estate of the said decedent but covering the value of the real estate ordered by the said Last Will and Testament to be sold

Wherefore the said Executors ask the court to order said real estate sold at private sale after giving the statutory notice for one third cash in hand on the day of sale, one third in six months and one third in twelve months

from the day of sale, the deferred payments to draw six per cent interest from date and attorneys fees and waiving valuation and appraisement laws, and secured as provided by law.

And they ask for all proper orders to which they are entitled in the premises

John S Moore
B F Moore
Executors

Subscribed and sworn to before me this 13" day of January 1896

Isaac R Johnson
Notary Public;

And the court having examined the said petition and heard evidence and being fully advised in the premises finds that the said Jacob K Moore died testate in the county of Hendricks and State of Indiana on the 13" day of December 1895, and that the above named Executors qualified and gave bond as such Executors of said will of the said decedent on the 9" day of January 1896.

The court further finds that the will of said decedent directed that the real estate in said petition discribed should be sold and the proceeds arising from the sale should be divided among the persons named as partakers in the proceeds.

The court also finds that the said Executors when they gave bond as such executed their bonds in an amount sufficient to cover the proceeds of the sale of said real estate

The Court also finds that said real estate ought to be sold in accordance with the directions in said will;

And now comes the said Executors and file an appraisment of said real estate from which it appears that the same was appraised by James L Mc Coun and James A Doward two reputable householders and free holders of the county of Hendricks as follows;

Twenty four feet off of and clear across the west side of lot three (3) in Block twelve (12) in the town of Danville for the sum of $2300.00

Lot Three (3) in Block eleven (11) in said town appraised at the sum of $750.00

Lot four (4) in Block eleven (11) and appraised at the sum of $650.00 said appraisement is filed and reads as follows; ~~(#3)~~

~~It is therefore ordered adjudged and decreed by the court that said Executors proceed to sell at private sale on the following real estate in Hendricks County in the State of Indiana, to wit;~~

State of Indiana Hendricks County ss

We James L Mc Coun and James A Doward, swear that we will honestly appraise the Real Estate of Jacob K Moore deceased which may be exhibited to us.

James L Mc Coun }
James A Doward } appraisers

Subscribed and sworn to this 13" day of January 1896. before me

Enoch G Hogate N.P.

An Inventory of all of the Real Estate of Jacob K Moore deceased by this Will ordered sold and described as follows to wit;

Twenty four (24) feet off of and clear across the West side of Lot three (3) in Twelve (12) in the town of Danville Ind. and appraised by us at the sum of $2300.00

Also Lot three (3) in Block Eleven (11) in said town and appraised by us at the sum of $750.00

Also Lot four (4) in Block Eleven (11) in said town and appraised by us at the sum of $650.00

All of said Real Estate being in Hendricks County in the State of Indiana and all appraised by us at $3700.00

James L Mc Coun
James A Doward } Appr.

It is therefore ordered adjudged and decreed by the court that said Executors proceed to sell at private sale on the statutory notice the following real estate in Hendricks County in the State of Indiana to wit; Twenty four feet off of and clear across the west end of lot three 3" in Block. twelve 12 also lot three (3) in Block eleven (11) and also lot four (4) in Block eleven all in the town of Danville and said Executors are hereby ordered to sell the said real estate for one third cash in hand on the day of sale one third in six and one third in twelve months from the day of sale the purchaser giving notes for the defined payments waiving relief from valuation and appraisement laws and drawing six per cent interest from date until paid;

And if said real estate should not be sold on the day set for the sale of the same the said Executors are hereby authorized to continue the sale from day to day until all of said real estate is sold;

And when said real estate is sold or any portion of the same the said Executors are ordered to report the same to the court for approval and deeds;

And further proceedings herein are continued until sales are made;

Be it further remembered that on the 7" day of September 1896 the same being 1" day of September term 1896. the further farther proceedings were had in the Hendricks Circuit Court.

Comes John S. Moore, Executor of the last Will and testament of Jacob K Moore deceased by Hogate and Clark his attorneys and files a report of sale of a portion of the real estate of said decedent which report of sale reads as follows to wit;

Comes now John S Moore sole surviving Executor of the Last Will and Testament of Jacob K. Moore deceased and shows to the court that pursuant to the order made herein at the January Term 1896 he gave notice of the time place terms and conditions of sale of the real estate herein for four weeks in succession by weekly publications in the Hendricks County Republican a weekly newspaper of general circulation printed and published in the county of Hendricks and State of Indiana, the first of which publications was on the 23rd day of January 1896 and the last on the 18th day of February 1896.

And now the Executor files herewith the affidavit of Julian D Hogate Editor of the said newspaper as proof of the said publication which affidavit reads as follows;

Notice of Executors Land Sale

Notice is hereby given that the undersigned Executor of the last will and testament of Jacob K Moore deceased by virtue of said will and by the order of the Hendricks Circuit Court will on

Friday february 21" 1896 at the office of Hogate & Clark, attorneys at Law in the town of Danville Indiana expose at private sale for not less than the appraised value the following described real estate in Hendricks County in the State of Indiana to wit; Twenty four (24) feet off of and clear across the west side of lot three (3) in Block twelve (12) also lots three (3) and four (4) in Block eleven (11) in the town of Danville

Terms of Sale

One third of the purchase money cash in hand on the day of sale one third in six and one third in twelve months from the day of sale the purchaser giving his notes for the defered payments waiving recourse to valuation or appraisement laws and drawing six per cent interest from

from date and attorneys fees and secured by a mortgage on the premises sold.
If said real estate should not be sold on the day set for the sale thereof the sale will be continued from day to day at the same place until the same is all sold The Executors reserve the right to reject any and all bids.

John S Moore and Patterson F Moore
1:23 4th. Executors

State of Indiana Hendricks County ss:

Personally appeared before the undersigned Julian D Hogate editor of the Hendricks County Republican a public weekly newspaper of general circulation printed and published in Danville in the County aforesaid who being duly sworn upon his oath saith that the notice of which the attached is a true copy was duly published in said paper for 4 weeks successively the first of which publication was on the 23rd day of January 1896. and the last on the 13th day of February 1896.

Julian D Hogate

Subscribed and Sworn to before me this 29th day of February 1896

David Hadley Clerk.

And now said Executor also shows to the Court that on the 23rd day of January 1896. there were posted in Center Township the township where the real estate herein proposed to be sold is located five notices of the time place, terms and conditions of sale herein and the affidavit of Frank V Hawkins is filed as a part hereof and as proof of the said posting: The said affidavit reads as follows, to wit:

~~Notice in the~~ State of Indiana Hendricks Co

In the matter of the Estate }
of Jacob K Moore deceased. }

Frank V Hawkins being first duly sworn says that on the 23rd day of January 1896 he posted seven notices of which the attached is a true copy in Hendricks County and all of said notices were posted in Center Township in said county the township where the said real estate proposed to be sold is situate

Frank V Hawkins

Subscribed and sworn to before me this 23rd day of January 1896.

Enoch D Hogate
N.P.

And on the 21st day of February 1896 at the law office of Hogate & Clark in the Town of Danville Indiana in conformity with the notice of sale and the order of the court he offered said real estate for sale at private sale and no one made an adequate bid for the same And the said sale was continued from day to day as provided by the order of the court.

And on the 13th day of July 1896 Charles A Hargrave offered for the following real estate to wit Twenty four feet off of the clear across the west side of Lot Three (3) in Block Twelve (12) in the Town of Danville Hendricks County in the State of Indiana the sum of Thirty one hundred and fifty dollars and no one bidding more and that being largely in excess of the appraised value of said real estate the said property was thereupon sold to the said Charles A Hargrave for that sum:

And the said purchaser paid down the sum of thirteen hundred dollars $1300.00 in cash and executed a note for the sum of eight hundred dollars $800.00 due in nine months and also his note for the sum of one thousand and fifty dollars $1050.00 due in eighteen months from the date of sale with six per cent interest per annum both notes waiving recourse to valuation and appraisement laws Whereupon the said Executor delivered to the

said Hargrave a certificate of purchase reciting the above facts and providing for a deed of conveyance to the said Hargrave or his assigns if the sale hereby made be approved by the court.

And now the Executor asks that the terms of sale heretofore made may be so modified as to conform to the terms on which this piece of property sold, and that the sale hereby made may be approved and the sale confirmed and a deed ordered made to the purchaser as an evidence of his title

John S Moore
Executor

Subscribed and sworn to before me this 7th day of September 1896.

Enoch D Hogate Notary Public

And the Executor also at the same time files the affidavits of publication and the affidavits of posting

And the court being fully advised in the premises from an examination of the said report and from statements of counsel and Executor finds that the sale so made ought to be confirmed:

It is therefor ordered adjudged and decreed by the court that the sale so made and reported be and the same is hereby in all things approved and confirmed, and the said Executor is ordered to report forthwith to the court for his approval a deed of conveyance for the real estate so sold.

And the Executor now comes and exhibits to the court for examination and approval a deed to the purchaser for the above described real estate and the court having examined the deed and being fully advised in the premises approves the same and endorses his approval thereon in these words: Examined and approved in open court and ordered delivered to the purchaser as an evidence of his title John V Headley Judge

And the court also now hereby modifies the terms of sale as heretofore made so that the terms of sale as reported in this sale of property shall be as reported viz: $1300.00 cash $800.00 in nine months and $1050.00 in eighteen months from the day of sale

And further proceedings are hereby continued until the further sales of property herein;

Be it further remembered that on the 16th day of October 1897 the same being the 36th day of the September Term 1897 the final Report was filed in this cause in this proceedings;

Comes John S Moore, Executor of the Last Will and Testament of Jacob K Moore deceased by Hogate and Clark his attorneys and files a petition for the reappraisement of certain real estate heretofore appraised and ordered sold Which petition is in the words and figures following to wit.

The undersigned Executor of the Last Will and Testament of Jacob K Moore deceased now comes and shows to the court that pursuant to the order heretofore made in this cause he caused the real estate in the petition described herein to be appraised and the appraisement has been filed in this court: He also shows that Lots three (3) and four (4) in Block Eleven (11) in the Town of Danville Indiana were appraised at the sum of Fourteen hundred dollars $1400.00 that he has never been able to get an adequate bid for the said Lots at said appraisement; He says that he believes the said lots in said Block are appraised at too high a figure and that a reappraisement ought to be made; He says that he has had said estate open for a long

time, that the will directs him to sell the said real estate, and that he has made many efforts to sell the same but has wholly failed at the appraisment

Wherefor he asks the court for an order to reappraise the said lots and report his appraisement to this court.

John S Moore, Executor

Subscribed and sworn to before me this 16th day of October 1897.

James L Clark.

Notary Public.

And the Court being fully advised in the premises now orders that said Executor proceed to have the said real estate in the petition described reappraised, and now the Executor comes and files a reappraisement of the said real estate from which it appears that the same was reappraised by W.R. McClelland and A.S Thompson two reputable householders and freeholders of the county of Hendricks at the sum of twelve hundred dollars $1200.00 Said reappraisement is as follows:

State of Indiana Hendricks County

We A.S. Thompson and W.R. McClelland. swear that we will honestly appraise the real Estate of Jacob K Moore declared which may be exhibited to us:

W.R. McClelland }
A.S. Thompson } appraisers

Subscribed and sworn to this 16th day of October 1897. before me

Mell C Martin Clerk.

An Inventory of a part of the Real Estate of Jacob K Moore declared and directed as follows to wit:

Lots three (3) and four (4) in Block eleven (11) in the Town of Danville Hendricks County Ind. and appraised by us at $1200.00

W.R. McClelland

And now the said executor files a report of the sale of said real estate which report reads as follows to wit:

Comes now John S Moore Executor of the last Will and Testament of the said decedent and reports to the court that pursuant to the order heretofore made he did on the 16th day of October 1897 sell to Frank J Christie for the sum of twelve hundred dollars $1200.00 the following real estate in Hendricks County in the State of Indiana, to wit. Lots number three (3) and four (4) in Block number eleven (11) in the Town of Danville: Whereupon the said Frank J Christie paid down the sum of eight hundred dollars $800.00 in cash and executed his note for four hundred dollars $400.00 due in one year with six per cent interest from date and he executed to the said purchaser a certificate of purchase reciting the facts and providing for deed of conveyance if the sale so made be approved by the court:

And the executor shows to the court that the terms of sale heretofore made provides that the sale should be made for one third cash one third in six and one third in twelve months from the day of sale And he asks that the order may be so modified that he may sell as above shown or to receive the cash at once if the purchaser shall so desire

And he asks for an order for a deed of conveyance

John S Moore
Executor

Subscribed and sworn to before me this 16th day of October 1897

James L Clark
Notary Public.

And the Court having examined the ~~said~~ same and being fully advised in the premises finds

that the said report ought to be approved;

It is therefore ordered adjudged and decreed by the Court that the sale so made and reported be and the same is hereby in all things approved and confirmed and the Executor is now ordered to report forth with a deed of conveyance to the purchaser for the real estate so purchased by him And the Executor as he is commanded now comes and presents to the court a deed of conveyance to Frank J Christie of the above described real estate which deed is approved by the court, and the approval of the court is endorsed thereon in these words;

Examined and approved in open Court and ordered delivered to the purchaser as an evidence of his title John V Hadley
Judge

And the Court further orders that the order of sale so made be so modified that the purchaser may pay eight hundred cash and the balance in one year instead of one third cash one third in six and one third in twelve months from day of sale all of which is finally ordered adjudged and decreed by the Court.

Be it remembered, that on the 9th day of February, 1905, the following petition to sell real estate was filed in the office of the Clerk of the Hendricks Circuit Court, to-wit:

"State of Indiana, Hendricks County, SS:

In the Hendricks Circuit Court, January Term, 1905.

Horace Reeve, Administrator of the estate of
Emsley Saferight, deceased.

vs

Lois Marie Saferight and
Claud Lester Saferight, and
Citizens State Bank, Plainfield, Indiana.

The undersigned, duly qualified and acting as administrator of the estate of Emsley Saferight, deceased, late of said County and State, respectfully shows to the Court that said decedent died intestate, leaving surviving him as his only heirs at law, Carey M. Saferight, his widow, Lois Marie Saferight, and Claud lester Saferight, both children minors daughter and son of said deceased Emsley Saferight, all of whom are made parties hereto. That at the time of his death said decedent was the owner in fee simple of the following described real estate in Hendricks County, State of Indiana, to-wit:

A part of the West half of the North east quarter of Section 5, Township 14, North, Range 2 East, and bounded as follows; Beginning at the South East corner of said West half quarter and running thence North 18 chains and 82 links to a stone; thence South 89 -- West 18 chains and 60 links to a stone in the center of the public highway; thence South 2 -- West 18 chains and 61 links to a stone in the center of the road 89 links East of the center of said Section; thence east 19 chains to the place of beginning. Estimated to contain 35,17/100 acres more or less, which real estate so described is liable to be made assets for the payment of debts of said decedent. That the probable value of said real estate, exclusive of liens thereon, is $900.00, dollars, that the total value of the personal estate of said decedent, which has come to this petitioner's knowledge or possession, amounts to $483.98, dollars. That said Emsley Saferight left a widow, Carie M. Saferight surviving him, then and now a resident of said county, who has elected to take said personal property to the appraised amount of $29and 75 dollars, as the widow of said decedent. That certain liens against said real estate appear of record, the amounts and dates of such liens, together with the nature thereof and the names of the holders of the same as shown of record, being as follows;

Citizens State Bank, Plainfield, Indiana, $1200.00 Interest $72.00.

Prewitt & CO. $16.55.

J. H. Rusie, Funeral Expenses $105.25.

Carter & Cooper Dr. Bills $46.00

3 Notes Citizens State Bank, $189.30.
$1629.10.

The holders of said liens as set forth, are hereby made parties defendant to this petition.

Wherefore the undersigned prays the Court that upon the hearing of this petition an order may be granted empowering him to sell said real estate or so much thereof as may be necessary to discharge the debts and liabilities of said estate and to satisfy the demand of said estate.

Horave reeve, Admr.

Subscribed and sworn to before me this 9th day of February, 1905.

John C. Taylor, Clerk.

The Clerk will issue summons on this petition for Lois Marie Saferight and Claud Lester Saferight, minors on the 6th day of March, 1905.

Horace L. Hanna, Attorney for Plaintiff.

And afterwards, to-wit: On the 10th day of March, 1905, the same being the 5th judicial day of the March Term, 1905, of the Hendricks Circuit Court, before the Hon. Thomas J. Cofer, sole Judge thereof, the following further proceedings were had of record, in said cause, to-wit;

In the Matter of the Estate of Emsley L. Saferight,
deceased, Horave reeve, Administrator of the estate
of Emsley L. Saferight, deceased.

vs No1945.

Cary M. Saferight,
Lois Marie Saferight,
Claud lester Saferight and
Citizens State Bamk, Plainfield, Indiana.

Comes now Horace Reeve, Administrator of the estate of Emsley L. Saferight, deceased, by Horace L. Hanna his Attorney, and it appearing to the satisfaction of the Court by the Sheriff's return to the summons issued in this cause, which summons, and the return of the Sheriff endorsed thereon read in the words and figures following, to-wit:

"The State of Indiana, Hendricks County, SS;

The State of Indiana, To the Sheriff of Hendricks County, Greeting:

You are hereby commanded to summon Lois Marie Saferight and Claud Lester Saferight to appear in the Circuit Court of Hendricks County, before the Judge thereof, on the 6 th day of March, 1905, being the 1st day of the March Term, held in the Court House in Danville, beginning on the first Monday of March, 1905, to answer the petition of Horace reevem Administrator of the estate of Emsley Saferight, deceased wherein he prays for a sale of the

real estate of said decedent to make assets to pay his debts, and of this writ make due return.

Witness, the Clerk of said Court, and the seal thereof hereunto affixed, at Danville, Indiana, this 9th day of February, 1905.

John C. Taylor, Clerk of hendricks Circuit Court.

This writ came to hand February 9th, 1905, and I served the same as commanded by leaving a true certified copy thereof at the last and usual place of residence of the within named Lois Marie Safewright and Claud Lester Safewright, this 22nd day of February, 1905.

Isaac J. mendenhall,
Sheriff hendricks County.

That the defendants Lois Marie Saferight and Claud Lester Saferight have each been duly served with such summons more than ten days before the 6th day of March, 1905, which day was the day fixed, on which said defendants should appear and answer hereto, and comes now Cary M. Saferight in her own proper person and files her answer to the petition herein in the words and figures following, to-wit:

State of Indiana, County of Hendricks,

In the Hendricks Circuit Court, March Term, 1905.

In the Estate of Emsley L. Saferight,
deceased, Horace Reeve, Administrator of the
estate of Emsley L. Saferight, deceased.

vs

Cary M. Saferight, Lois Marie Saferight,
Claud Lester Saferight and The Citizens State Bank,
Plainfield, Indiana.

Cary M. Saferight for answer to the petition in the above entitled cause says that she is the widow of the decedent, Emsley L. Saferight and that as such widow she is the owner in fee simple of the undivided one third of the real estate described in said petition and that as such widow she is entitled under the statutes to the sum of Five Hundred Dollars of which sum she has been paid $40.75, only, leaving due and unpaid her the sum of $459.25.

Wherefore she prays that in whatever decree is rendered in said cause her interest may be protected, and she furher prays for all other proper relief in the premises, and asks that one third of the real estate be set off to her in severalty.

CaryMay Saferight

And now comes The Citizens State Bank, Plainfield, Indiana, by James Clark, Attorney of said Bank in person and files his answer to the petition herein, in the words and figures following, to-wit:

"State of Indiana, County of Hendricks,

In the Hendricks Circuit Court, March term, 1905.

In the Estate of Emsley L. Saferight, deceased.

Horace reeve, Administrator of the estate of

Emsley L. Saferight, deceased.

vs

Cary M. Saferight,

Lois Marie Saferight,

Claud Lester Saferight, and

The Citizens State Bank, Plainfield,

Indiana.

The Citizens State Bank for answer to petition in above entitled cause, says that on the seventeenth day of December, 1902, the decedent executed and delivered to the defendant his promissory note in the sum of $1200.00, for value and that of even date therewith decedent with his wife, as ad,itted in said petition, executed his mortgage upon said real estate securing said notes, that said mortgage was duly acknowledged and recorded, that there is now due and unpaid this defendant on said note the sum of $1500.00, the same is a lien senior and prior to the interest and liens on said real estate to any and all other parties to this action.

Wherefore this defendant prays that in whatever decree is rendered in said cause that its interest may be protected and he further prays for all other proper relief in the premises.

Jas. L. Clark,

Atty for deft.

And it appearing to the Court that the defendants Lois Marie Saferight and Claud Lester Saferight are each minors and under the age of twenty one years, and thereupon on plaintiff's Motion the Court appoints George T. Pattison a practicing attorney of the bar of hendricks County, Guardian ad litem of Lois Marie Saferight, and Claud lester Saferight to appear for, and protect their interests in this cause, and now comes the said george T. Pattison, Guardian ad litem of Lois Marie Saferight and Claud lester Saferight and as such Guardian ad litem files his answer herein in the words and figures following, to-wit:

"State of Indiana, County of hendricks,

In the Hendricks Circuit Court, March Term, 1905.

In the Estate of Emsley L. Saferight, deceased.

Horace reeve, Administrator of the Estate of

Emsley L. Saferight, deceased.

vs.

Cary M. Saferight, Lois Marie Saferight, and

Claud lester Saferight, and

The Citizens State Bank, Plainfield, Indiana.

George T. Patterson, Guardian ad litem for Lois Marie Saferight and Claud Lester Saferight in answer to Plaintiff's complaint says, that he is not familiar with the facts alledged in the Plaintiff's complaint in the above entitled cause and denies each and every material allegation therein contained and asks that plaintiff be held to strict proof of each and everymaterial allegation thereof.

Wherefore he prays that in whatever decree is rendered in said cause his interest may be protected and he further prays for all other poper relief in the premises.

Geo. T. Pattison

Guardian ad litem.

And now this cause being at issue, by agreement of parties, is submitted to the Court for trial, judgment and decree without the intervention of a jury, and the evidence being heard, and the Court being fully advised in the premises says and finds that all the material allegations of the complaint herein are true, and that the real estate herein after described ought to be sold to pay the debts and liabilities of said decedents estate and that due notice has been given as above stated, and the court further finds there is a lien upon said real estate for State and County taxes in the sum of $24.42, and the defendant The Citizens State Bank holds a mortgage lien upon said real estate executed by the decedent and his wife for the principal and interest in the sum of $1364.31, and $25.00 attorneys fees, and that said mortgage lien is senior and surperior to the interest in two thirds of said real estate of all other defendants hereto, and the Court further finds that the defendant Cary M. Saferight is the owner in fee simple of the undivided one third of said real estate free and discharged of all liabilities to pay the debts of decedent and all liens and interests of all other defendants hereto except the lien for taxes aforesaid and the mortgage lien aforesaid of defendant The Citizens State Bank, Plainfield, Indiana, but that she is entitled to have the other undivided two-thirds sold first to pay and discharge said tax lien and mortgage lien and in the event said tax and mortgage liens are thus discharged and satisfied, the said Cary M. Saferight shall take her undivided one third of said real estate free and discharged of any and all liens and liabilities to pay the debts of decedent, and the Court further finds that the defendant Cary M. Saferight also holds a lien upon said other undivided two-thirds of said real estate for the sum $459.25, as widow of decedent subject only to said tax lien and said mortgage lien.

And it appearing to the Court that it would be to the interest of said estate that the share of the defendant, Cary M. Saferight, widow of the deceased, in the real estate of the decedent be set off to her in severalty and the residue,subjected to sale first, and that she is entitled to the undivided one-third part in value of said real estate; It is therefore ordered, ordered, adjudged and decreed that partition be made of said real estate; that John W. Figg, Addison Ballard and Joseph Prewitt

be appointed commissioners in partition, and that they set off to said Cary M. Saferight one-third in value of the real estate of said Emsley L. Saferight, deceased, and make report thereof to this Court for approval and confirmation.

And afterwards, to-wit On the 22nd day of March, 1905, the same being the 15th judicial day of the March term, 1905, of the hendricks Circuit Count, before the same Hon. Judge thereof, the following further proceedings were had of record in said cause, to-wit:

"In the Estate of Emsley L. Saferight, deceased,
Horace reeve, Administrator of the estate of
Emsley L. Saferight, deceased.
vs
Cary M. Saferight,
Lois Marie Saferight,
Claud Lester Saferight and The
Citizens State Bank, Plainfield, Indiana.

No. 1945. Report of Commissioners and Order to sell Real Estate.

Comes now John W. Figg, Addison Ballard and Joseph Prewitt, Commissioners heretofore appointed by the Court to make partition and set off to Cary M. Saferight, widow of Emsley L. Saferight, deceased, one third in value of the real estate of said Emsley L. Saferight, deceased, make and file their following report in the words and figures following, to-wit:

"State of Indiana, County of Hendricks, SS;

In the hendricks Circuit Court, March Term, 1905.

In the Emsley L. Saferight Estate.

Horace Reeve, Administrator of the estate
of Emsley L. Saferight, deceased.
vs
Lois Marie Saferight,
Claud Lester Saferight, Cary M. Saferight and
Citizens State Bank, Plainfield, Indiana.

Report of Commissioners to set off widow's one-third.

We, John W. Figg, Addison Ballard and Joseph Prewitt, Commissioners appointed by the Judge of the Hendricks Circuit Court, March Term, 1905, to set off one-third in value of the following described real estate, to-wit:

A part of the West half of the North east quarter of Section 5, Township 14, North Range 2 East and bounded as follows; Beginning at the South East corner of said West half quarter and running thence North 18 chains and 82 links to a stone; thence South 89 --- West 18 chains and 60 links to a stone in the center of the public highway; thence South 2 --- West 18 chains and 61 links to a stone in the center of the road 89 links East of the center of said Section; thence East 19 chains to the place of beginning. Estimated to contain 35,17/100

acres more or less, to Cary M. Saferight, widow of Emsley L. Saferight, deceased, we set off the following described land to the said Cary M. Saferight, as her one third interest in the aforesaid tract of land, described as follows, to-wit:

Beginning at a point 89 links East of the center of Section 5, Township 15, North Range 2 East and running thence North 5 chains and Sixty-four (64) links; thence East 19 chains to East line of said West half quarter: thence South on said line 5 chains and 64 links to a stone on the line running East and West through the center of said Section 5; thence West 19 chains to the place of beginning. Estimated to contain 10,72/100 acres more or less.

We were engaged in this work one day.

Commissioner Joseph Prewitt $3.00.
Commissioner Addison Ballard, $3.00.
Commissioner and Surveyor John W. Figg, $10.25. (Taxed.)

John W. Figg (Seal)
Jos. E. Prewitt
Addison Ballard

Subscribed and sworn to before me this 16th day of March, 1905.

Isaac A. Johnson, Notary Public Seal.

My Commission expires Mar. 7, 1907.

And the Court being fully advised in the premises finds as reported by said Commissioners, that the following described real estate, to-wit: Beginning at a point 89 links East of the center of Section 5, Township 15 North Range 2 East, and running thence North 5 chains and 64 links; thence East 19 chains to East line of said West half quarter; thence South on said line five (5) chains and Sixty-four (64) links to a stone on the line running East and West through the center of said Section 5; thence West nineteen (19) chains to the place of beginning. Estimated to contain Ten (10) and 72/100 acres more or less, is the one-third in value of the real estate of Emsley L. Saferight, deceased.

It is therefore ordered and adjudged that said property be and the same is hereby set off to Cary M. Saferight, widow of Emsley L. Saferight, in fee simple, subject only to the liens thereon of said mortgage of The Citizens State Bank, Plainfield, Indiana, and the State and County taxes.

The Court further orders and adjudges that the other two thirds of the real estate of Emsley L. Saferight, deceased, described as follows, to-wit: A part of the West half of the North East quarter of Section 5, Township 14 North of Range 2 East, and bounded as follows: Beginning at a point five (5) chains and Sixty-four (64) links North of the South East corner of said West half quarter and running thence North Thirteen (13) chains and eighteen (18) links to a stone; thence South Eighty-nine (89) -- West Eighteen (18) chains and Sixty (60) links to a stone in the center of the public highway; thence South 2 -- West Twelve (12) chains and Ninety-seven (97) links; thence East Nineteen (19) chains to the place of beginning. Estimated to

contain Twenty-four and Forty-five Hundredths (24,45/100) acres more or less, be and the same is hereby set off to Horace Reeve, Administrator of the Estate of said Emsley L. Saferight, deceased, to be sold to pay the debts and liabilities of said decedents estate.

And it is further ordered, adjudged and decreed by the Court that there are State and County tax liens upon all of said real estate in the sum of $24.42, and that the defendant The Citizens State Bank, Plainfield, Indiana, holds a mortgage lien on all of the said real estate for the sum of $1364.31, and that said mortgage lien is senior and superior to all liens and interest of any other defendants on or in said real estate, and it is further ordered, adjudged and decreed that the defendant Cary M. Saferight, widow of the deceased holds a lien for the sum of $459.25, on all of said real estate subject only to said tax and mortgage lien.

And now comes the Administrator aforesaid plaintiff herein, and files the inventory, appraisement and oath of the appraisers of said two-thirds of said real estate, which are in the words and figures following, to-wit:

"State of Indiana,
County of Hendricks, SS:

We, the undersigned, do solemnly affirm that we will honestly appraise, at its fair cash value, the real estate set off to Horace Reeve, Administrator of the estate of Emsley L. Saferight, deceased late of Hendricks County, Indiana. So help us God.

James P. Cope)
C. M. Havens.) Appraisers.

Subscribed and sworn to, this 22, day of March, 1905.

Horace reeve, Administrator.

Inventory of two-thirds of the real estate of Emsley L. Saferight, deceased, as set off by Commissioners appointed by the Hendricks Circuit Court made by Horace reeve, administrator of the estate of said deceased, and approved by _____ and _____ this ___ day of _____, 190___

Described as follows:-

A part of the West half of the North East quarter of Section 5, Township 14, North of Range 2 East, and bounded as follows:- Beginning at a point 5 chains and 64 links North of the South East corner of said West half Quarter and running thence North 13 chains and 18 links to a stone; thence South 89° West 18 chains and 60 links to a stone in the center of the public highway; thence South 2° West 12 chains and 97 links; thence East 19 chains to the place of beginning. Estimated to contain 24,45/100 acres more or less.

"We, the undersigned appraisers do appraise the above tract of land at Sixty Dollars ($60.00) per acre amounting to $1467.00.

Attest: James P. Cope) Appraisers
)

And said Administrator having presented his bond at the time of taking out letters of Administration, for double the amount of both real and personal property, in order to secure an order of sale of said real estate, the same is hereby approved by the Court.

It is therefore ordered, adjudged and decreed by the Court, that the real estate, so set off to said Administrator be first sold by said Administrator to make assets for the payment of all debts and liabilities of said estate, and described as follows: A part of the West half of the North East quarter of Section 5, Township 14, North of Range 2 East, and bounded as follows: Beginning at a point 5 chains and 64 links North of the South East corner of said West half quarter and running thence North 13 chains and 18 links to a stone; thence South 89-- West 18 chains and 60 links to a stone in the center of the public highway; thence South -- West 12 chains and 97 links; thence East 19 chains to the place of beginning. Estimated to contain 24,45/100 acres more or less, and the purchaser thereof at such sale takes said real estate free and discharged of all liens and encumbrances.

It is further ordered, adjudged and decreed that said land shall be sold for one-third cash, one third in six months and the remaining third in twelve months, the purchaser to execute his notes, with surety, to be approved by the Administrator for the deferred payments secured by a mortgage on the real estate sold, and bearing six per cent interest from date of sale.

It appearing to the Court that it woukd be to the interest of said estate that said sale of real estate be at private sale, it is ordered that the same be sold at private sale; and that said Administrator give notice of such sale by one insertion in the Friday Caller, a newapaper in Plainfield, Indiana, and by posting up notices thereof in at least five public places in such county, three of which shall be in each township in which the real estate to be sold may be situate.

And afterwards, to-wit: On the 7th day of April, 1905, the same being the 29th Judicial day of the March Term, 1905 of the hendricks Circuit Court, before the Honorable Thomas J. Cofer, sole Judge thereof, the following further proceedings, were had of record in said cause, to-wit:

"Horace Reeve, Administrator of the
Estate of Emsley L. Saferight, deceased.
vs No. 1945 Report of sale of real Estate.
The Citizens State Bank, Plainfield, Indiana,
Cary M. Saferight, Louis Marie Saferight,
and Claud Lester Saferight.

Comes now Horace Reeve Administrator of the estate of Emsley L. Saferight, deceased, and presents to the Court his report of the sale of the real estate therein described which report is in the words and figures as follows;

The undersigned, Administrator of the estate of Emsley L. Saferight, deceased, reports to the Court that pursuant to the order heretofore made in this proceeding

authorizing and directing the private sale of the real estate hereinafter described, he gave notice of the time, Terms and place of such sale, by the publication and posting of notices thereof for the time and in the manner required by the terms of said order, and he attaches hereto and makes part of this report copies of such notice, together with proof of the due posting and publication thereof, as aforesaid, Said proof of publication and posting are as follows, to-wit:

Sale Notice.

"In the matter of the estate of Emsley L. Saferight, deceased.

NOTICE is hereby given that by virtue of an order of the Hendricks Circuit Court of the State of Indiana, the undersignedm as administrator of the estate of Emsley L. Saferight, deceased, will offer at private sale on the premises Monday, March 27th, 1905, the following described real estate, situate in hendricks County, and State of Indiana, to-wit: A part of the west half of the North East quarter of Section 5, Township 14, North of Range 2 East and bounded as follows; Beginning at a point 5 chains and 64 links North of the South East corner of said West half quarter and running thence North 13 chains and 18 links to a stone; thence South 89 degrees West 18 chains and 60 links to a stone in the center of the public highway; thence South 2 degrees West 12 chains and 97 links; thence East 19 chains to place of beginning. Estimated to contain 24,45/100 acres more or less.

Terms: One third in cash; the remainder in equal payments at six months and twelve months from date of sale, with notes at six per cent interest, waiving valuation and appraisement laws, and secured by mortgage upon the real estate sold. In case said property is not on said day said sale will be continued from day to day until said property is sold.

Sale will be at 10 o'clock A. M.

Horace Reeve, Administrator.

State of Indiana,

Hendricks County, SS:

Personally appeared before the undersigned P. W. Raidabaugh, publisher of the Friday Caller, a public weekly newspaper of general circulation, printed and published in Plainfield, in the State and County aforesaid, who being duly sworn, upon his oath, saith that the notice of which the attached is a true copy, was duly published in said paper for one week which publication was on the 24 day of March, 1905,.

P. W. Raidabaugh

Subscribed and sworn to before me, this 7th day of April, 1905

Guy G. Cumberworth Seal.

My Commission expires Notary Public

Jan. 23, 1909.

AFFIDAVIT OF POSTING.

State of Indiana, County of Hendricks, SS:

The undersigned, being duly sworn, on oath says that notices, of which the attached is a true and complete copy, were posted on the 24th day of March, 1905, in five public places, as follows: Two in the Post Office at Plainfield, Indiana. One at the crossing of the Mooresville andand J. Q. Matern free gravel road. One at Friendswood, Indiana, by the Post Office, One at Union Hill Church. One at West Newton, Indiana,

All of said places of posting being public places and five within said County and State, three of them within Guilford Township, where said real estate is situated.

Horace eeve, Admr.

Subscribed and sworn to before me, this 7th day of April, 1905.

John C. Taylor, Clerk Ct. Ct.

That on the 24th day of March, 1905, the same being the day fixed for such sale and at the place and upon the terms in said notice set forth he was and offered said real estate for sale but failing to receive a satisfactory bid said sale was continued from day to day until the 7th day of April when Eli W. Saferight bid therefor the sum of $1781.50, and that being the highest bid made by any one for said real estate and being more than the full appraised value of the same that he then and there sold said real estate, to-wit: A part of the West half of the North East quarter of Section five, Township Fourteen, North of Range 2 East, and bounded as follows: Beginning at a point Five chains and Sixty four links North of the South East corner of said West half Quarter and running thence North 13 chains and 18 links to a stone; thence South 89° West 18 chains and Sixty links to a stone in the center of the public highway; thence South 2° West 12 chains and 97 links; thence East 19 chains to the place of beginning. Estimated to contain 24,45/100 acres more or less, subject to the approval of the Court and said purchaser having paid the full amount of said bid in cash for said real estate which money he now brings into court and asks that said sale be confirmed and that he be authorized to execute a deed to said purchaser for said real estate.

Horace Reeve, Admr.

Subscribed and sworn to before me this 7th day of April, 1905.

John C. Taylor, Clerk CT. Ct.

And the Court after examining said report approves the same and confirms said sale and orders said Administrator to execute his deed conveying said land to said purchaser and bring the same into court for the approval of the Court.

Now said administrator brings into Court a deed duly executed conveying said real estate to Eli W. Saferight and the Court having examined said deed in open Court approves the same, and writes his approval thereon in these words, "Examined and approved in open Court this the 7th day of April, 1905, Thomas J. Cofer, Judge", and orders said deed to be delivered to said purchaser, as evidence of his title.

Attest: Charles E. Edwards Clerk.