

The original probate files of Hendricks County, some from as early as 1823, are very fragile and are in storage. You are encouraged to use these digital images instead of seeking the originals as they are as complete, and more readable in many cases, than the originals.

NOAH BATEMAN

ESTATE

1879

HENDRICKS COUNTY, INDIANA

Land Sale

No. 78

Hendricks Common Pleas Court

Wm J. K. P. Jones Admr, of
Wm Beamish's Estate

VS.

Mary C. O'Rear
John W. Beamish

Feb 6 1879

Petition filed Mch^{1st} 1877

all taxes

John V. Roddy

Plaintiff's Attorney

State

P. O. B. 8-220

William J. K. P. Jones

June 6-1877

Administrator &c

Entry.

Mary C. Omer

et al.

Comes now William J. K. P. Jones Administrator de bonas non of the estate of William Banish deceased by John V. Hadley his attorney and it appearing to the satisfaction of the court by the Editors affidavit on file, which affidavit is in the words and figure following to-wit: (here insert) and it further appearing by proof of posting notices, on file, which proof of posting is in the words and figures following to-wit (here insert) that notice of the pendancy of the plaintiffs petition herein for the sale of the lands therein described has been made by three successive publications in the Danville Union a newspaper of general circulation printed and published in Danville in Hendricks County and State of Indiana and by posting up written notices thereof in three public places in ^{El River} ~~Leaton~~ Township wherein said lands are situated, and the court having examined the petition herein and heard the evidence in support thereof and being fully advised in the premises say and find that the matters and

* the defendants failing to appear and answer herein are now three times lawfully called and come not but herein wholly made default and

Entry.

are true as therein alleged, whereupon the court appoints Sandridge Tucker and William H. Walker ~~appraisers~~ two disinterested free holders, appraisers to appraise said lands in the petition described and the said Tucker and Walker being first duly sworn to honestly appraise said lands proceed to make their appraisement and return the same into court appraised by them at \$400.00; whereupon said Administrator files his bond in the penal sum of Eight Hundred Dollars with Lindsey L. Thrift as his surety, which bond is examined and approved by the court. whereupon it is ordered and adjudged by the court that said Administrator proceed to sell the real estate in his petition described to-wit: The East half of the North West quarter of the South West quarter of Section 17, in township 17, North of Range two (2) West containing twenty acres more or less, at private sale, for cash, without notice, at not less than the full appraised value thereof subject to all incumbrances thereon.

Approved
J. L. Leland

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State of Indiana Henericks County ss
In the Circuit Court
March Term 1877

In the matter of the
Estate of William Bannish
Dec'd

William J. H. P. Jones Administrator
On bonus note of said Estate shows to said
Court, that there are no personal assets
remaining unadministered of said Estate
- That the debts against said Estate so
far as they have come to the knowledge
of your petitioner remain unpaid
amounts to about the sum of Two
hundred and Twenty five dollars -
showing an insufficiency of the personal
Estate to pay the debts of said sum of
\$225.00 - That the decedent died the
owner and fee of the following described
Real Estate in Henericks County and
State of Indiana to wit - The East 1/2
of the North West 1/4 of the South West 1/4
of Section 17 in Township 17 North
of Range Two West containing 20 acres
more or less - of the probable value
of 600.00 upon which there is a mortgage
in favor of Robt Ewing for about
300.00

That the decedent left no widow, but the
following named children as his only heirs
namely - Mary C. O'Hear - aged 33 years

and John W Barnish aged 28 years
And he believes that it will be to the interest
of the creditors of said heirs to sell to
sell said land at private sale ^{for cash} without
notice, for not less than the appraised value
thereof subject to the encumbrances
thereon. And he asks an order
accordingly

W. J. K. P. Jones

Admiral's Master

Subscribed and sworn to before me

This 27th day of ~~Jan~~ February 1874

James O. Parker
Notary Public



No 78
Sincere Court
March Term 1877

In the matter of the
Estate of John Barnish
deceased.

Application to sell
Real Estate

Noted

Filed March 1st 1877.

Wm Brown
Clerk

STATE OF INDIANA,)
Hendrick County,) SS:

EDITOR'S AFFIDAVIT.

PETITION FOR THE SALE OF LAND.
STATE OF INDIANA,)
HENDRICKS COUNTY,) ss
In the Hendricks Circuit Court.
To the June term, 1877.
William J. K. P. Jones, Administrator de
bonis non of the estate of William Beamish, de-
ceased vs. Mary C. O'Rear and John W. Beam-
ish.
Notice is hereby given that the said Wil-
liam J. K. P. Jones, Administrator de bonis non
of the estate of William Beamish, deceased, has
filed his petition to sell the real estate of the said
William Beamish, deceased, his personal being
insufficient to pay his debts, and that said peti-
tion will be heard and determined at the next
term of said Circuit Court, to be begun and held
at the court-house in the town of Danville, on
the first Monday of June, A. D., 1877.
Witness the Clerk of said Court, this
9th day of April, A. D. 1877.
W. M. IRVIN, Clerk.

Personally appeared before the undersigned
John N. Searce publisher of
The Danville Union
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 12
day of April 1877, and the last on the
26 day of April 1877

John N. Searce
6 day of June 1877
W. M. Irvin clk

Subscribed and sworn to before me, this 6 day of June 1877

Received, _____, of _____
dollars and _____ cents,

paid for publishing the above notice

Tax

Printers Fees \$6.00
J. M. Science

Filed June 6, 1897
J. M. Science
clk

THE STATE OF INDIANA, HENDRICKS COUNTY, SCT.

IN THE HENDRICKS ^{Circuit} COURT OF COMMON PLEAS.

To the June Term, 1887.

Wm J H P Jones
Administrator
de bonis non of
Wm Beamish decd

vs.

Mary C O'Leary and
John Beamish

Petition for the Sale of Land.

Notice is hereby given that the said

Wm J H P Jones admr de bonis non of the Estate of
William Beamish decd
has this day filed his petition to sell the Real Estate of the
said William Beamish, deceased, his personal being in=
sufficient to pay his debts; and that said petition will be heard and deter=
mined at the next Term of said Court, ^{Circuit} of ~~Common Pleas~~, to be begun and
held at the Court House in the Town of Danville, on the First Monday
of June, A. D., 1887.

Witness, the Clerk of said Court,
this 9th day of April,
A. D., 1887.

Wm Linn, Clerk.

State of Indiana / ss.
Hendricks County

Alfred McCoy upon his oath
says that copies of the within notice
were posted, one at Hartenacks saw mill,
one at the brick store in North Salem and
the third at the new flouring mill in
North Salem, public places in El
River Township said county, on the
19th day of April 1877.

A McCoy VSB Deputy Sheriff

Subscribed and sworn to before me this
19. day of April 1877

Supp fees
miling 2.00
return notes 1.00
Rb 10
\$3.00

Jm Inu clk

Filed June 6 1877

Jm Inu

clerk

Exhibit

Heq. the one

El River

STATE OF INDIANA, }

Wm. & J. Braden, Printers, Indianapolis, Indiana,

Hendricks COUNTY. }

We, Dandridge Tucker and William H. Hocker
swear that we will honestly appraise the Real Estate of
William Banish, deceased; which may be exhibited to us.

Dandridge Tucker } Appraisers.
Wm. H. Hocker }

Subscribed and sworn to, this 4th day of June, 1877,
before me.

Ym. Ivin, clerk.

An Inventory of the Real Estate of
William Banish, deceased, and described as follows, to-wit:

The East half of the North West ^{quarter} of
the South West quarter of Section 17,
in Township 17, North of Range
Two (2) West containing twenty acres
more or less.

And appraised by us at \$400.00

Dandridge Tucker } Appraisers.
William H. Hocker }

Administrator's Appraisement of Real Estate.

ESTATE OF

William Bamish
Deceased.

Am J. K. P. Jones
Administrator.

Filed 6 day of June 1867.

Am Grim

Clerk.

Jones

Know all men by these Presents, That we H. J. K. P. Jones and Lindsey L. Thrift
are bounden unto THE STATE OF INDIANA, in the penal sum of
Eight hundred Dollars, to pay which we
jointly and severally bind ourselves, our heirs, executors and administrators.

Sealed and dated the 4th day of June 1877

THE CONDITION OF THE ABOVE OBLIGATION IS, That as the above
bound H. J. K. P. Jones Administrator of the Estate
of H. B. Baniish deceased, has been ordered by the
Circuit Court of Hendricks County, to sell
Real Estate of said decedent.

Now if the said H. J. K. P. 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.

H. J. K. P. Jones
Lindsey L. Thrift
SEAL
SEAL
SEAL

Approved the 4th day of June 1877

D. B. Julian
Judge, Circuit Court of Hendricks County.

State of Indiana, Hendrick County, ss:

I, Lindsey L. Thrift swear, that I am worth, over
and above my indebtedness, One thousand Dollars, as I believe.
So help me God.

Lindsey L. Thrift

Subscribed and sworn to before me, the 4th
day of June 1877

Wm. Irvin Clerk
Circuit Court of Hendricks County.

STATE OF INDIANA, _____ COUNTY, ss:

I, _____ swear that I am worth, over
and above my indebtedness, _____ Dollars, as I believe.
So help me God.

Subscribed and sworn to before me, the
day of _____ 1877

Clerk
Circuit Court of _____ County.

ESTATE OF

William Bannish

DECEASED.

Wm J. K. P. Jones

ADMINISTRATOR.

CIRCUIT COURT

Term, 187

Bond to Sell Real Estate

Filed

June 6th 1877

Wm Linn

CLERK.

John V. Heasley

ATTORNEY.

Braden & Burford, Printers, Indianapolis, Ind.

Filed

Petition for the Sale of Land

State of Indiana { ss.
Hendricks County {

Notice is hereby given that Wm J. K. P. Jones Administrator of the Estate of William Barnish, deceased, has filed his petition to sell the following Real Estate, to wit: The East half ($\frac{1}{2}$) of the North West quarter ($\frac{1}{4}$) of the South West quarter ($\frac{1}{4}$) of Section Seventeen (17) Township Seventeen (17) North of Range Two (2) West containing 20 acres more or less situate in said County and State.

That said petition will be heard and determined at the next term of the Circuit Court of said County.

William J. K. P. Jones
Administrator

Rank	Mar. 22, 1877
June 2 ^d	" " "
Sept 3	" " "
Jan 4	" " "
Sept 24	" 24 "

In the matter of the Estate of
William Barnick
deceased

Notice of filing of
petition & proof of
posting.

Herricks Circuit Court
January Term 1898

John F. H. P. Jones Admin
of John Bamian dec'd

v
Mary. C. O'Neal et al

The plaintiff for Reply to the
Answer of Burr. H. Groubman
denies each & every allegation
therein contained

John O. Hocking
Atty for Plff

78

Jones Adams
of Barnstable

O'Keefe & Co
Barnstable

Reply

Filed Feb 4 1878
Wm. J. W. Clark

John S. Bradley
Att'y in fact

State of Indiana Hendricks County, S.S.
William J. H. P. Jones
Adm^r de bonis non of the
estate of William Bamish, decd.,

Burr H. Troutman
et. al.

Burr H. Troutman, defendant for answer to the petition of the said administrator herein, says that on the 25th day of April 1870 one Robert M. Ewing was the owner in fee simple of the following described real estate in Hendricks county and state of Indiana to wit: The south west quarter of the south west quarter of section 17, in township 17 north, in range two (2) east; that on said day the said Ewing and wife conveyed the said real estate by deed to said decedent and one Robert F. Quan as tenants in common; that afterwards to wit on the day of 1871 the said William Bamish did intestate the aforesaid in fee of an undivided one half of said real (as described in said petition) and leaving his two children, John Bamish and Mary Quan, wife of said Robert as his only heirs at law; that on the second day of April 1875 Robert F. Quan and wife conveyed by deed

all their interest in said real estate to Lucinda Bamish, wife of said John; that on the 13th day of October 1877 the said John and Lucinda sold and conveyed by deed all their interest in said land to this defendant.

And the defendant further says that he is the owner and in fee and is now in the possession of said Real Estate; that on the 22nd day of February 1875 Robert F. O'Rear was duly appointed Administrator of the estate of William Bamish deceased, executed his bond and was duly qualified as such Administrator. The defendant further says that there came into ~~his~~^{the} hands of said Administrator a large amount of personal property to-wit: property of the value of \$1000⁰⁰; that it was afterwards ascertained that the personal property of said estate was not sufficient to pay the debts thereof; that on the 2nd day of April 1875 by and with the consent and authority of the said John Bamish and Mary O'Rear, each being at the time more than twenty one years of age, the said Robert F. O'Rear made sale of certain Real Estate of which decedent de id seized of the value of \$3500⁰⁰ and received as such Administrator from the proceeds thereof the said sum of \$3500⁰⁰ to be applied in discharge of the indebtedness of said estate, which sum together with said personal property was

* defendant says that there is now in the hands of the plaintiff, as of trust, a large amount of assets for that the same are available to him in the sum of \$600.00 and that said sum is more than sufficient to pay all the debts of said decedent

more than sufficient to pay said debts of said Barnish decedent; that afterwards the said Robert F. & Rear was removed from his said trust and the plaintiff herein was appointed his successor and was duly qualified as such, and the *

Wherefore this defendant asks that the petition of the plaintiff be not granted, and he asks a judgment for costs.

Hogate & Blake

Atty for Kroustman

Said Sale to

Estate of Wm Bernick
decd.

Wm J. K. P. Jones Adm
r

Burr H Troutman
et al

Secy. and of Troutman

Filed Feb 11 1878
Wm J. K. P. Jones

Hogate & Blake
for Troutman

Hendricks Circuit Court
January Term 1848

James Adams vs
Benjamin Adams

vs
Mary C. Adams

The plaintiffs for Reply to the
Answer of James & John
McCrady. denies each &
every allegation therein
contained.

John A. Hasley
Atty for plffs

78

James Adams - ny
Barnack
or
O'Rear & Hall

Reply

Filed Feb 4 1878
Spencer Clk

John D. Hadley
Attorney for plaintiff

State of Indiana

Hendricks County } ss

Hendricks Circuit Court
January Term 1878

William J. R. P. Jones
admr of the Estate of
William Barnick decd

vs

Mary C. O'Rear

John Barnick

Russ H. Troutman

John McCreary and

James McCreary

Answer of Jpts
John and James
McCreary

John McCreary and James McCreary
who are made defendants to the above
Petition and Complaint of said ad-
ministrator, for answer thereto say
that said administrator ought not
to be allowed or authorized by this
Court to make sale of the following
described lands mentioned in said
Petition The East half of the South East
quarter of Section 18 Township 14 North,
Range two West in the County of
Hendricks and State of Indiana

because they say that these defendants
are the owners of said land in fee
simple by virtue of a Warranty Deed
executed by Robert F. O'Rear and

wife and John Barnish and wife dated the 2nd day of April 1875 and recorded in the Recorder's office of said County in Book No 42 of deeds at page 310.

They further say that said lands were owned by the said William Barnish at the time of his decease, in fee simple; that said John Barnish and Mary C. O'Rear were the only heirs at law of the said William Barnish, both of whom were of full age; that these defendants purchased said lands of said heirs at the sum and price of \$3500.th all of which has been paid; that said lands were sold, by agreement of said parties for the purpose of making assets to pay debts of said estate, and the entire amount of purchase money paid over to Robert J. O'Rear who was then the administrator of said estate.

These defendants further say that at the time of said purchase by them of said tract of land, the administrator of said estate was not only in possession of said \$3500. as assets paid over as aforesaid, with which to pay debts, but that said decedent was the owner of other lands situate in the County

of record, and described as follows
part: The undivided half of the
North West quarter of the South
West quarter of Section 17 Township
17 North, Range 2 West, after the
sale of ~~the sale of~~ the lands first
above described, by said heirs, to
their parties, and the payment of
said purchase money to said ad-
ministrator. And said Adminis-
trator Robert F. O'Rear, by order and
direction of this Court executed a
bond with ample security, which is
now on file, and in full force.

And they also say that the un-
divided half of the lands above de-
scribed, and afterwards sold to said
Troutman were ample and sufficient
to pay off all the unpaid indebtedness
of said Estate. Wherefore they pray
the Court to order and direct that
said Wm J. K. P. Jones the present
administrator de bonis non of said
estate be first authorized and
directed to collect ^{of} the assets in
the hands of his predecessor by
suit upon his bond if necessary,
a sum sufficient to pay any unpaid
indebtedness of said estate; and
on failure to realize a sum suf-
ficient, they pray the Court to order
and direct that the undivided

Wendell Campbell Clerk
January Term 1878

Wm J. K. P. Jones
admr &c

vs

Mary. G. O'Leon
et al

Annuity
John McCreery and
James McCreery

Filed Feb 4 1878
Wm J. K. P. Jones Clerk

Wm J. K. P. Jones
Depts atty

half of the 440 acres above described
shall be sold before any sale shall
be made of the lands so purchased
by these defendants and paid for
as aforesaid.

And they pray for general relief.

Wm J. K. P. Jones

Atty for said Depts

State of Indiana
Hendricks County }^{ss}

In the Circuit Court
January Term 1878

In the Matter of the
Estate of H. C. Garrison
deceased }

Comes now William J. K. P. Jones
Administrator de bonas non of the estate
of said decedent and shows to said
Court that there is no personal assets
remaining unadministered of said
estate; that the debts against said es-
tate so far as they have come to ~~the~~ the
knowledge of your petitioner remain-
ing unpaid amounts to about the
sum of two hundred and twenty
five dollars - showing an insuff-
iciency of the personal estate to pay
the debts of said sum of \$225⁰⁰; That
the decedent died seized of and the
owner in fee of the following de-
scribed real estate in Hendricks
County and State of Indiana to-wit:
an undivided one half of the North-
west quarter of the Southwest quarter
of Section 17 and also the owner in fee
of the East half of the Southeast quar-
ter of Section 18. all in Township 17
North, of Range 2 West, containing
in all 100 acres, of the probable

cash value of \$ upon the
first described tract of which there
is a mortgage of \$300 or thereabout, in
favor of Robert Ewing. That the
decedent left him surviving, no
widow, but the following named
children as his only heirs at law
namely - Mary C. Orear, aged 33.
years and John H. Barnish aged
about 28. years. And he believes
that it will be to the interest of the
creditors and heirs of said estate
to sell said land at private sale
for cash without notice, for not
less than the full appraised value
thereof subject to the incumbrances
thereon. And he asks an order
accordingly.

Res. Bar A Grotzman
& James & John M^r Crany as petitioners
is informed & believes is claiming
some interest in said Real Estate
& they are small parties hereto
James & John M^r Crany of any
they have.

Wm J. P. Jones
Ord. no.

by John W. Kelley atty

808

Nendrick Circuit Court
January Term 1878

In the Matter of the
Estate of J^m Samish
deceased.

Amended application
to sell lands to pay
debt.

Filed Feb 4 1878
J^m Samish Clerk

State of Indiana, Hendricks County, ss:

State of Indiana, to the Sheriff of said County, Greeting:

You are hereby commanded to cite

Administrator of the Estate of

William J. K. P. Jones
William Karmick
deceased, if he may be found in your bailiwick, to be and appear before the Judge
of the Circuit Court of said County of Hendricks on Monday
the 1st day of the next Term of said Court, to be begun and held at the
Court House in Danville on the 14 Monday in September
1877, then and there to render to said Court an account of his proceedings in the
Administration of the estate of said decedent, and herein he may not fail at
his peril; and have you then and there this writ.

Witness, my name and the seal of said Court, the

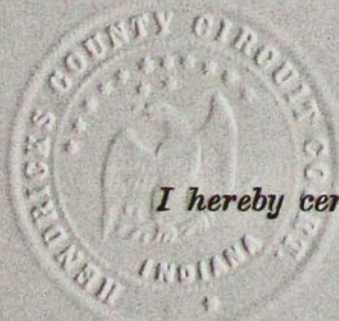
day of

August 1879

Clerk.

I hereby certify that the above is a true copy of the original Citation.

Sheriff of _____ County, Ind.



Served the within Citation by Reading
to J. H. P. Jones August 23. 1879
Sheriff Geo. James Emmers
Sheriff Geo. James Emmers
35-
Mileage 2.00
Return 2.45-

Served
No. 3

CITATION

vs.
Wm. G. K. P. Jones

Administrator of the Estate of

William Bernick

DECEASED.

Taxed

By order of the Court.



NOAH BATEMAN

ESTATE

1879

HENDRICKS COUNTY, INDIANA