

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.

WILLIAM FREE

ESTATE

1840

HENDRICKS COUNTY, INDIANA

State of Indiana) ss, In the Hendricks Probate Court
Hendricks County (Term for 1840

To the Honorable James M. Clark sole Judge of the said
Hendricks Probate Court John M. Daniel Plaintiff in
this suit complains of John Free Administrator of the
estate of William Free late of said County deceased
defendant in this suit, of a plea of debt that he
owes unto said Plaintiff the just and full
sum of seven hundred ~~dollars~~ fifty dollars which
the estate of William Free deceased justly owes to and
the said John Free Administrator of said estate unjustly
detains from him said Plaintiff &c

For that whereas
the said William Free heretofore to wit on the 25th
day of April 1837, at the County and State of said
(and in his lifetime) made ^{and with his seal} his certain writing
obligatory of that date and which is now to the
Court now here shown the date whereof is the day
and year of aforesaid and thereby then and there
on or before the 25th day of December 1837
promised to pay to and to the order of said Plaintiff the sum of seven
hundred & fifty dollars with interest from the 25th
day of December 1837, for value received and whereas
the said John Free according to whom said writing obligatory
was made payable according to the form of the Statute in
such case made and provided heretofore to wit on the
17th day of March 1838, by endorsement on the back
of said writing obligatory made his own hand signed
and set over said writing obligatory to said John
M. Daniel, &c &c Whence the said William Free
then and there had notice, and then and there by force of the
Statute in such case made & provided became liable to pay
the amount of said writing obligatory to said Plaintiff
according to the time and effect thereof, yet often
requested the said William Free in his lifetime did not

pay now both the said John Free as his Administrator
since his death, paid the said sum of seven hundred
and fifty dollars with interest from the 25th day
of December 1837. or any part thereof to the damage
of the said Plaintiff, and thousand dollars. Wherefore
said Plaintiff prays your Honor to decree in
his favor against the said Free the Administrator
of the estate of William Free decreed the full
amount of said writing obligatory to wit \$750.00
with interest thereon from the 25th day of December
1837. and costs of suit to be paid of the debts
now in his hands or which may hereafter
come into his hands to be administered all
according to the form of the Statute in such
cases made & provided &c. Wherefore he sueth

By C. C. Stone his Atty

John M. Daniel
vs Bill

John M. Daniel Administrator
of the Estate of William
Daniel deceased

The Clerk of the
Hendricks Probate
Court will please
issue a summons
or citation in the
above entitled case
directed to the Sheriff
of Morgan County
against the said
according to law
commanding him
to appear on the first
day of the month
of the Hendricks
Probate Court &c

C. C. Novato
for Sheriff

Filed in my office
Oct 16th 1880
J. M. Kuyler

7
J. Oct 16th

And the said Plaintiff says that his said declaration
and the matters and things therein alleged
are sufficient in law for him to have and
maintain his aforesaid action thereof against
said defendant and this Plaintiff is ready
to verify wherefore he prays judgment &c
C. C. Nave att for Plff

John McDermid

vs

John Free Adm
istrator &c

Dennis

Filed in open court

Nov. 12. 1844

J. B. Gregory clk

Brenton for deft

State of Indiana } Benaricks Probate Court
Benaricks county } Nov Term 1840

John McDaniel

vs

Debt

John Free Adm^r &c }

And the said defendant comes and says that the said plaintiff ought not to have or maintain his action aforesaid against him, because he prays that the declaration and the matters and things contained therein are not sufficient for the said plaintiff to maintain his action aforesaid. And that he is not bound by law to answer the same Wherefore he prays Judgment &c

Sam Brenton

For cl^t

Hendrick's Probate Court
Nov. Term 1840

John M. Daniel

vs $\frac{2}{3}$ Common

John Tree Adm.
of William Tree

Demand \$750.00
Damages 1000.00 :

At Nov Term 1840
Have for self

State of Indiana) The State of Indiana to the Sheriff of
Hendricks County) ~~Hendricks County~~ Morgan County Greeting

We command you that you summon John
Free administrator of the Estate of William Free deceased to person-
ally be and appear before the Honorable the Judge of the Hendricks
Probate Court on the first day of his next term to be holden at
the Court House in Danville on the second Monday in November
next to answer unto John McDaniel in a plea of debt founded
upon a writing obligatory executed by the said William Free in his
lifetime ^{writ on the 25th of April 1837} to one Noah Harding for the payment of Seven hundred
and fifty dollars with interest from the 25th day of December 1837.
And which said writing obligatory was after the execution thereof
torn on the 17th day of March 1838 assigned over and trans-
ferred by the said Noah Harding to the said John McDaniel.
Damages one thousand dollars as is said. And have
you then there this writ.

Attest James M. Gregg Clerk of our said
Probate Court And its Seal this 16th day of
October 1840
J. M. Gregg clk

Came to hand the 23rd of Oct 1840 Jonathan Hunt off
Served the 27th by me J Hunt off

Serving	372
Mileage	8 1/4
Returning	10
	<u>\$1.29</u>

Recd^d in the within Note by settlement with
John McDaniel twenty five Dollars this the
14th day of March 1838 Rank Hearing
for value received & assign the within
Note to John McDaniel March 17th 1838
Rank Hearing

money paid over
to M. C. Council by Adam
James note filed paid
over by same to M. C. Council
Andrews note & Interest
to \$682.34.^{cs}
Paid for that amount

Wm. J. McDaniel
Bond to
Noah
Hartung
for \$450.00

filed in my office.
Nov 15th 1838
J. W. Guggenb.

on or Before the 25th Day of December 1839
I promise to pay Noah Harding the Sum of
Seven Hundred & fifty Dollars with Interest
from the 25th Day of December 1837 for Value
Received of him as Witness my hand and seal
April the 25th 1837

Attest
James M. Sampson William Thos. (Seal)

Disposed of Aug. 5, 1842

No.

Probate
Hendricks Circuit Court.

PROBATE.

ESTATE OF

*Sarah Free widow
of Wm Free*

Partition

*Jackson Woodard
Et al*

G. E. & C. D.

Page

*O. B. 347 296
" 4 349 317*

Administrator.

Filed

190

Fee Book No.

Page

Administrator's Attorney.

Warab Free
Application for Dower

Proof of

Publication of Notice

Filed in open Court
May 9th 1869
J. M. Grogan

STATE OF INDIANA, HENDRICKS COUNTY.

Hendricks Probate Court, for May term, 1862.

Sarah Free, widow of William Free, dec'd.

vs
Jackson Woodard and Polly his wife, John Roy
and Sarah his wife, Isiah Free, Daniel Free,
Priscilla Free, John Free, Marinda Free, Su-
annah Free, Climborne Free and William Free,
heirs of the said deceased.

Petition for
dower.

THE above named defendants will take notice that I, the un-
dersigned, will make application to the Hendricks circuit
court on the first or some subsequent day of the next term there-
of, to be held at the court house in Danville in said county, on
the second Monday in May next, to appoint commissioners to
assign and set over to me my dower right in the following de-
scribed lands, to wit: The north west quarter of the north east
quarter, and the north east quarter of the north west quarter
of section 22, and the west half of the south west quarter of
section 14, and the west half of the north west quarter of sec-
tion 23, all in township 16 north, of range No. 1 east, in the
county of Hendricks.

SARAH FREE,

widow of Wm Free, dec'd.

Hendricks Probate Court
May Term A.D. 1862

Personally appeared in open Court Henry
M. Varies and being duly sworn upon his Oath

says that the above advertised notice of application for the assignment of
Dower to Sarah Free Widow of William Free was published in the
Indiana Journal a public Newspaper published in the adjoining
County of Marion for three weeks in succession the last of which
publications was made more than twenty days before the first day of the
present term of this Court

Henry M. Varies

Subscribed and sworn to in open Court this

the 9 day of May 1862

J. M. Gregg Clerk

By S. S. Headley Esqr

The State of Indiana
Wendricks County) In Wendricks Probate Court
May Term A.D. 1862

To the Honorable the Judge of the Probate Court of
the County of Wendricks now in Chancery sitting your Oratrix
Sarah Anne Widener of William Free, late of said County deceased
would respectfully represent to your Honor that the said Will-
iam Free late of said County departed this life on or about
the 10th day of July A.D. 1838 leaving your petitioner his
widow and Jackson Woodard and Polly his wife (formerly Polly
Free) John Roy and Sarah his wife (formerly Sarah Free)
Isaiah Free, Daniel Free, Parcella Free, John Free
Matilda Free, Susannah Free, Claiborne Free and William
Free children, his heirs at law and legal representatives
That that the said William Free during Coverture with
your Oratrix and at the time of his death was seized
and possessed as an Estate of Inheritance of the fol-
lowing described real Estate Situate in the County
of Wendricks in the State of Indiana: To wit the
North West quarter of the North East quarter and the North
East quarter of the North West quarter of Section twenty two
and the west half of the South West quarter of Section fourteen
and the west half of the North West quarter of Section
twenty three all in Township sixteen North of Range
one East in which your Oratrix is entitled to dower
and that your petitioner on or about the 17th day of
February A.D. 1862 in a peaceable manner requested
John Roy & Sarah his wife ^{his} who are of lawful age and resi-
ding in Wendricks County (the other heirs who are of lawful
age not residing in the County) to assign to her ^{separately} dower
in the aforesaid premises which they refused to do
Your petitioner therefore prays that the said John
Roy and Sarah his wife Jackson Woodard and Polly his

31 wife Isaac Free, Daniel Free, Priscilla Free, John
32 Free Abigail Free, Susannah Free, Claitorne Free and
33 William Free may be made defendants to this her peti-
34 tion that they may answer the same, the said John
35 Key and Sarah his wife and Jackson Woodward and Polly
36 Free wife and Isaac Free who are of lawful age in this
37 now proper person and the said Daniel, Priscilla, John,
38 Abigail, Susannah, Claitorne and William who are
39 Minors within the age of twenty one years by a proper
40 Guardian to be appointed by this Honorable Court
41 and that three freeholders of the County not related
42 to either of the parties be appointed by this Honorable
43 Court commissioners to assign and set over to your
44 Petrix reasonable dower in the premises aforesaid
45 according to the Statute in such case made and
46 provided and that such other and further relief
47 in the premises may be granted unto your Petrix
48 as shall seem unto your Honor Equitable and
49 just

Sarah Free
Widow of Wm Free

Sarah Tice

vs

Heirs of Wm Tice

Petition for Dower

Recorded

Tested and sworn to
May 9th 1862

J. M. Guggell

Windsor Probate Court
Aug 7, Term 1842

Sarah Free

vs

John Free et al

Writ of Dower

Filed in open Court
August 8th 1842

J. M. Gregg etc

1/2nd copy
S. 5000 - 1,121
M. 100 - 54
Act - 1,175

A. D. W. L. 24th 1842

Bound to have May 19th 1842 and delivered
to the Court of the said John Free and his heirs and assigns
the sum of \$1000.00 as within. On own mandate

We of Remond that on the 23 day of May the
1842 Personally appeared before me John W. Sampson
an Acting Justice of the Peace of said County & that
Wm. J. Edmund & wife two of the with named
Emmersons, and were duly sworn according
to law
I were under my hand and seal this
24 day of May the 1842 John W. Sampson
Justice of the Peace

State of Indiana } The State of Indiana to the
Hendricks County } Sheriff of Hendricks County
Greeting.

We command you, that without delay, by the Oaths of Eldred Shiff Edmund Clark and Thomas Nichols, you cause to be set off and assigned to Sarah Free of Said County, widow of William Free late of said County deceased, One full and equal third part of the following real estate, situate in the County and State aforesaid, and inclosed by the following description to-wit: The NW¹/₄ of the NE¹/₄ of Section 22 Township 16 North, of Range One East; the NE¹/₄ of the NW¹/₄ of the same Section & Township aforesaid; the W¹/₂ of NW¹/₄ Section 23 Township 16 Range aforesaid; the W¹/₂ NW¹/₄ Section 111 Township 16 Range aforesaid, in pursuance of an Order lately made in our Hendricks Probate Court, in a certain petition of dower, wherein the said Sarah Free is petitioner and John Free administrator of the deceased and others are defendants respondents; And that your proceedings in the premises, you distinctly certify ~~and~~ according to law to our said Court on the first day of the next term.

Witness James M. Hugg clerk
of our said Court and its seal
this 17th day of May 1842

D. W. Gregg clerk

Sarah Free
no
John Free
Ans.

Assignment of Dances

Filed in Open Court
August 8th 1842
J. H. Gregg cler

State of Indiana } Hendricks Probate Court
Hendricks County } August term thereof
A.D. 1842

We the undersigned commissioners
named appointed at the May term of said Hendricks
Probate Court to assign dower to Sarah
Fau widow of William Fau late of Hendricks county
and State of Indiana deceased in the following
real estate situated and being in the county of Hendricks
and State of Indiana (To wit) the N.W¹/₄ of the
N.E¹/₄ of section 22 Township 16 North of Range one East the
N.E¹/₄ of the N.W¹/₄ of the same section & Township aforesaid
the W¹/₂ of the N.W¹/₄ of section 23 Township & Range aforesaid
the W¹/₂ of the S.W¹/₄ of section 14 Township & Range aforesaid
lying and being in the county of Hendricks and state aforesaid
and having been duly sworn upon actual view of
the premises do assign to the said Sarah Fau for her dower
estate so much of said lands as is contained within the
following limits (To wit) the W¹/₂ of the S.W¹/₄ of section 14
Township 16 Range 1 East and the N.W¹/₄ of the N.W¹/₄
of section 23 Township & Range aforesaid
Given under our hands and seals this 8th day
of August A.D. 1842

Edred Huff
Edmund Black

Commissioners Fees

E. Huff \$3.00

E. Black 3.00

Total \$6.00

Sarah Tree
^{vs}
The heirs of Mrs. Tree

Petition for Divorce

Answer of Defendants

Filed in open
Court May 9th 1869.
A. M. Gregg att.

The State of Indiana Mendocino County

Mendocino Probate Court May Term 1862

Sarah Free widow of Wm Free

vs

Wacham Woodward & Polly his wife

John Roy and Sarah his wife

& Sarah, John, Matilda, Susannah

Chaiborne & William Free

Petition for Dower

The Last Answer of Daniel Free

John Free Pircella Free, Matilda Free, Susannah Free

Chaiborne Free & William Free infant defendants by John Free

their Guardian ad litem the said infants by their said

Guardian ad litem answer and say that they are informed and

believe that it is true that the said Wm Free died on or about

the 10 day of July A.D. 1838 leaving the petitioner

his widow and also the several heirs named in said petition

and that the said William Free their father was seized and

in possession of the lands mentioned in said petition at

the time of his death and that Dower has not as yet

been assigned and set over to the said petitioner although

they are informed she has requested the said lands that are of

lawful age to set off and assign to her dower in the premises

mentioned in her petition and that they being infants within

the age of twenty-one years and that they know of no other

or further matter contained in said petition which it is

material for them to answer they therefore by their Guardi-

an ad litem pray to be herein discharged according to law

Equity and good conscience

Daniel Free

John Free

Matilda Free

Susannah Free

Chaiborne Free

William Free

By John Free

their Guardian ad litem

The above named John Free,
Guardian ad litem being duly sworn open court makes
oath and says that the matters and things con-
tained in the foregoing answers are true to the
best of his knowledge information and belief

subscribed & sworn to this the
8th day of May 1862

J. M. Gage Jk

WILLIAM FREE

ESTATE

1840

HENDRICKS COUNTY, INDIANA