

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.

THOMAS MILLER

ESTATE

1889

HENDRICKS COUNTY, INDIANA



Land Sale.

No. 898.

---

**HENDRICKS CIRCUIT COURT.**

---

**PROBATE.**

---

ESTATE OF

Thomas Miller,

Deceased.

Dispd of at May 7, 1890

G. E. & C. D.

Page

(Complete Record Made.)

Julius H. Smith,

Administrator.

Filed Oct. 9th, 1889.

Fee Book No.

Page

Administrator's Attorney.



In the matter of the Est. of  
Thomas Miller -

learned now Julius H. Smith  
administrator of said estate and  
files his report of the sale of the  
real estate of said decedent under  
an order of this Court herein before  
made in the wards and figures  
as follows to wit (Here insert  
Report of Sale) And the Court  
having examined said report and  
being fully advised in the premises  
finds that the matters and things  
set forth in said report are true  
and that the <sup>said</sup> sale is in all respects  
in accordance with the previous  
order of this Court and the law  
and that the same ought to be  
in all respects confirmed and approved.

It is therefore ordered adjudged  
and decreed by the Court that  
said sale be and is hereby con-  
firmed and approved And  
the said administrator is hereby



empowered authorized and  
directed to execute & deeds  
of conveyance of said real estate  
and bring the same into court  
for its approval —

And <sup>now</sup> comes said administrator  
and brings into court his deeds  
of conveyance of said land executed  
<sup>said</sup> to James J. Luckworth and Sarah E.  
Luckworth — for the approval of the  
Court and thereupon the court  
approves the same and writes  
his approval thereon as follows  
"Approved in open court this  
6<sup>th</sup> day of May 1890 John V. Hadley  
Judge" and the administrator  
is authorized and directed to  
deliver said deeds to said  
purchasers as evidence of  
their title all of which  
is ordered and adjudged by  
the Court —



*Eulry.*

FILED.

MAY 6 1890

*E. G. Hogate*  
CLERK.

*E.*



# State of Indiana, Hendricks County, ss:

Coter &amp; Hadley, Attys.

## Notice of Petition to sell Real Estate.

Probate cause No. 898.  
Julius H. Smith, administrator of the estate of Thomas Miller, deceased, vs. Tilghman H. Miller, et al.  
In the Circuit Court of Hendricks county, Ind., November term, 1889.

To Tilghman H. Miller, Harry Adams, Carrie Adams, Willie Miller and Charles B. Miller.

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 26th judicial day of the November term, 1889, of said court, the same being the third day of December, 1889.

Witness the Clerk and the Seal of said court, this 9th day of October 1889.  
SEAL  
10 18 31  
ENOCH G. HOGATE, Clerk.

800

Subscribed and sworn to before me, this

6<sup>#</sup>

day of

Nov,

18 89

Enoch G. Hogate, Clerk

Received

of

Dollars and

Cents, in full for publish-

ing the above notice

Personally appeared before the undersigned

John C. Ochiltree editor of  
Hendricks Co. 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 publication was on the 10th day of October 1889, and the last on the 24th day of October 1889

John C. Ochiltree



898

Part to Sell Real Est  
Est Thos Miller  
890

FILED.  
JAN 7 1890

E. G. Hogate  
CLERK.

Taxed.



State of Indiana

Hendricks County &c

Tilghman H. Miller being duly sworn upon his oath says that I supplied of the annexed notices were pasted, up in four public places in Cel River Township, Hendricks County Indiana, being in the township where said Real Estate is situated on the 18<sup>th</sup> day of October A.D. 1889

Tilghman H. Miller  
Subscribed and sworn to before  
me this 29<sup>th</sup> day of November  
1889

Leaswell Co. Hadley  
Notary Public

Cofer & Hadley, Attys.  
Notice of Petition to sell Real  
Estate.

Probate cause No. 893.  
Julius H. Smith, administrator of the estate of  
Thomas Miller, deceased, vs. Tilghman H. Miller,  
et al.

In the Circuit Court of Hendricks county, Ind.,  
November term, 1889.

To Tilghman H. Miller, Harry Adams, Carrie  
Adams, Willie Miller and Charles B. Miller.

You are severally hereby notified that the above  
named petitioner, as administrator of the estate  
aforesaid, has filed in the Circuit Court of Hen-  
dricks county, Indiana, a petition making you de-  
fendants 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 20th  
judicial day of the November term, 1889, of said  
court, the same being the third day of Decem-  
ber, 1889.

Witness the Clerk and the Seal of  
said court, this 9th day of October,  
1889. Enoch G. HOGATE, Clerk.

REAL  
10 10 31



898

Proof of Posting.

FILED.  
JAN 7 1890

E. G. Hogate  
CLERK.



Taxed.



Know all Men by these Presents, That we, Julius H. Smith  
James J. Deekworth  
 are bound unto the STATE OF INDIANA, in the penal sum of Eight  
hundred and fifty Dollars to pay which we jointly  
 and severally bind ourselves, our heirs, executors and administrators.

Sealed and dated the 30<sup>th</sup> day of November, 1889

The Condition of the above Obligation is, That as the above bound

Julius H. Smith, Administrator of the Estate of  
Thomas Miller deceased, has been ordered by the Circuit  
 Court of Hendricks County, to sell all of

Real Estate of the said decedent to pay debt

Now, if the said Julius H. Smith 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.

X

J. H. Smith  
J. J. Deekworth

SEAL

SEAL

SEAL

Approved the 7<sup>th</sup> day of July, 1890  
M. V. Deely Clerk

C. C. of \_\_\_\_\_ County.

State of Indiana, Hendricks County, ss:

I, J. J. Deekworth, swear that I am worth, over and above my  
 indebtedness, two thousand Dollars, as I believe; so help me God.



Subscribed and sworn to before me, the 30<sup>th</sup> day of Nov, 1889  
M. V. Deely Clerk

C. C. of \_\_\_\_\_ 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 \_\_\_\_\_, 18\_\_\_\_.

Clerk

C. C. of \_\_\_\_\_ County.



898

Estate of Thomas Miller  
deceased

John H. Smith, Administrator

**Administrator's Bond**

TO

SELL REAL ESTATE

Filed

18

FILED

Clerk.

JAN 7 1890

E. G. Hogate, Attorney  
Clerk

Indianapolis Journal Company, Print.

Taxed. Recorded.





State of Indiana, Hendricks County.

We,

*Wm W Hocker* and *Marshall F Gardner*

swear that we will honestly appraise the Real Estate of

*Thomas Miller*

deceased, which may be exhibited to us.



*W. W. Hocker*

*M. F. Gardner*

Appraisers.

Subscribed and sworn to, this *30<sup>th</sup>* day of *November* 188*9*, before me.

*M. H. Reed* Notary Public

An Inventory of

*all*

of the Real Estate of

*Thomas Miller*

deceased, and described as follows, to-wit:

Lot No *Two* (2) in *Block* four (4) in *Hurts* addition to the town of North Salem. Also an undivided two thirds interest in the South half of Lot No six (6), and a parcel of land described as follows commencing at the northeast corner of lot five (5) running thence South sixteen (16) feet; thence west ninety (90) feet; thence North sixteen (16) feet; thence east ninety (90) feet to the place of beginning, both in ~~lot~~ <sup>Block</sup> at *one* (1) in the original town of North Salem, all of the above described land being in Hendricks County and the State of Indiana.

The first of ~~which~~ said described lots we appraise at \$225<sup>00</sup>

The last two of said described lots we appraise at \$200<sup>00</sup>

*all*  
and appraised by us at \$425<sup>00</sup>

*W. W. Hocker*  
*M. F. Gardner*

Appraisers.



898

Administrator's Appraisement of Real Estate.

ESTATE OF

Thomas Miller

Deceased.

Julius H. Smith

Administrator.

FILED.

JAN 7 1890

Filed

by

, 188

C. G. Hogate

Clerk.

Wm. B. Stanford, Printer, Indianapolis.

Taxid





Eliza Thompson  
to

Bank 70 - 79

Russell Brattain

Russell Brattain to Charlotte & Robert  
Eliza Thompson mitge. 700 16.25.149  
Russell Brattain & D. Carruth

Asen M. Thompson  
to

John Brattain

70-493

John Brattain - taxes	2 <sup>nd</sup> half 1873	6 65
Russell Brattain ..	2 <sup>nd</sup> ..	7 77
		<hr/> 14 42
		4R



State of Indiana,  
Hendricks County, ss

-----  
In the matter of the estate of  
Thomas Miller ,deceased.

ENTRY.

And now ,on the 9" day of October 1889, comes Julian H. Smith administrator of the estate of Thomas Miller , deceased and files his petition herein, for the sale of the real-estate of his said decedent to pay debts-in the words and figures as follows to wit ( Here insert petition in full except caption )

And now said administrator shows to the court his petition, with the indorsement thereon, which indorsement shows that this cause was set for hearing on the 3" day of December 1889, And now comes J. C. Ochiltree, editor and publisher of the Hendricks County Republican a news-paper of general circulation published in said county ,who files his affidavit in the words and figures to wit:( Here insert affidavit of J. C. Ochiltree ) by which affidavit it is shown that notice of the hearing of said petition was given by publication in said news-paper for three successive weeks, the last of which was more than thirty days before the time set for the hearing of the petition herein. And now comes Tilghman Miller and files his affidavit herein, in the words and figures as follows to wit: ( Herein sert affidavit of Tilghman Miller ) by which affidavit it appears that more than three printed notices of the time set for hearing of this petition were posted up in more than three public places in the township where said real-estate is situated. And now the infancy of Harry Adams, Carrie Adams, Willie Miller, and Charles B. Miller, heirs of Thomas Miller deceased, is suggested to the court ,and thereupon the Court appoints <sup>M. W. Hopkins</sup> ~~James L. Clark~~ a practising attorney at this bar guardian ad litem for said infants, And now comes <sup>M. W. Hopkins</sup> ~~James L. Clark~~ guardian ad litem of said infants heirs and files his answer herein in the words



and figures as follows to wit: ( Here insert answer of guardian ad litem ) And now the said administrator further shows to the Court the appraisement of the Real-estate described in his petition herein which appraisement was made by W. W. Hocker and M. F. Gardner two reputable and disinterested freeholders and householders of the neighborhood where said Real-estate is situated, which appraisement shows that said Real-estate is appraised at the sum of \$425.00. ( H. J. )

And now the said administrator farther files and shows to the Court his bond in the penal sum of \$850.00 conditional on his faithful performance of his duties in the sale of said Real-estate, with J. J. Duckworth as his surety, which bond is approved by the Court. ( H. J. )

And now this cause is submitted to the Court for finding judgment and decree. And the Court having examined the papers filed in said cause, heard the evidence and being fully advised in the premises finds that notice of the time set for the hearing of this petition was in all things properly given; that the matters and things alleged in the petition are true and that said sale ought to be made as prayed for. It is herefore ordered, adjudged and decreed by the Court that said administrator be and is hereby authorized, empowered and directed to make sale of said Real-estate at private sale, with out notice and at not less than the appraised price thereof one-half cash and one half in 12 months all of which is ordered, adjudged and decreed by the Court.



No. 898  
Sond Dale  
Rabate

Thomas Miller  
Est

Entry

A. K. Hadley  
Judge

FILED.  
JAN 7 1890

E. G. Hogate  
CLERK

Taxid.



Hendricks County)

In the matter of the estate  
of Thomas Miller, deceased,

( PETITION TO SELL LAND  
(  
( Sept. Term 1839.

That said decedent left surviving him five heirs to-wit  
Tilghman H. Miller, Harry Adams Carrie Adams, Willie Miller and  
Charles B. Miller, all but the first named being grandchildren  
of said decedent. That it would be for the best interests of s  
said estate if the same be sold at private sale and without  
notice on account of the small value of the same .



Wherefore your petitioner prays the Court for an order empowering him to sell said real estate at private sale and without notice.

*Julius H. Smith*

Administrator.

Subscribed and sworn to before me this the 7 day of Oct. 1889.



*John D. Tisdair*  
Notary Public



No. 898.

In Hendricks Circuit Court.

Sept. Term 1889.

PROBATE.

In the matter of the estate  
of Thomas Miller, deceased.

PETITION TO SELL LAND TO PAY DEBTS.

The Clerk will give notice of  
the time of the hearing of the  
within petition, to the parties  
interested, and make the same  
returnable on the 3<sup>rd</sup> day of Dec.  
1889

Cofer & Hadley,  
Attys. for Petitioner

FILED

OCT 20 1889

E. J. Hagerty  
Treas.



State of Indiana

Hendricks-Countyss

-----  
In the matter of the estate of  
Thomas Miller, deceased.

Hendricks Circuit Court

January Term, 1890

Answer of guardian ad litem  
-----

*M. W. Hopkins*  
~~James L. Clark~~ guardian ad litem for Carrie Adams, Harry Adams,  
Willie Miller and Charles B. Miller, infant heirs of Thomas Miller  
deceased. For answer to the petition of Julius H. Smith, administrator  
of said estate, denies each and every allegation therein contained.

*M. W. Hopkins*  
Guardian Ad litem



No 898

Probate

Estate of  
Thomas Miller  
deceased

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Assigning Guardian  
ad Litem

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FILED.  
JAN 7 1890

E. G. Hogate  
CLERK.

Taxed.



State of Indiana, Hendricks County, ss:

Julius H. Smith being duly sworn  
before the Clerk of the Circuit Court of the County aforesaid, upon oath  
says That Thomas Miller

departed this life in said County, intestate, as he believes, on the 22<sup>nd</sup>  
day of March, 1887; that said Thomas Miller  
left a personal estate to be administered of the probable value, as he is informed  
and believes, of Ten Dollars Dollars;  
and further he says not.

Signed:

Julius H. Smith

Sworn to and subscribed before me, this 27<sup>th</sup> day of March, 1888

Enoch G. Logg Clerk.



1315,

In the Estate of

Thomas Meiller

DECEASED.

PETITION FOR ADMINISTRATION.

FILED.

Filed, MAR 29 1889 18

E. G. Hogate

CLERK.

CLERK.



State of Indiana,

Hendricks County, SS.

In Hendricks Circuit Court.

May Term 1890.

In the matter of the estate of Thomas  
Miller deceased

Report of Land Sale.

Julius H. Smith, administrator of said estate, reports to the Court, that pursuant to the order hereinbefore made, he proceeded to sell the following described lands to-wit: Lot No. 2 in block No. 4 in Hurts addition, also an undivided 2-3 interest in the south half of lot 6 and a parcel of land described as follows- commencing at the north-east corner of lot 5 running thence south 16 feet; thence *West* 90 feet; thence north 16 feet; thence *East* 90 feet to the place of beginning, being in block No. 1 ~~xxxxxxx~~ in the original town of North Salem and state of Indiana. That on the *16th* day of April 1890 James J. Duckworth bid for the first of said described tracts the sum of \$225.00 and that being the highest and best price offered therefor, and it being the appraised price thereof the same was openly sold to the said Duckworth, Whereupon he paid in cash the sum of \$112.50 and executed his note for the sum of \$112.50 payable in twelve months after date with 6 per cent interest from date, with *Wm H. Fleece* as his surety, and said administrator executed to said purchaser a certificate of purchase, reciting the facts of said purchase and payment and stipulating that in the event of the approval of this sale he would execute to said purchaser a deed.

And on said day the said administrator sold to Sarah E. Duckworth the last of said described tracts for the sum of \$200.00, that being the highest and best price offered for the same and being the appraised price thereof, and whereupon she paid said administrator the sum of \$100.00, and executed her note for the sum of \$100.00, due in twelve months with 6 per cent interest, with *James J. Duckworth* as her surety, and whereupon said administrator executed to said Sarah E. Duckworth a certificate of purchase, reciting the facts of said purchase and payment.

And said administrator shows to the Court said notes and refers to



the appraisement on file in this Court, and he prays that the sale  
may be confirmed. And that he be authorized to execute a deed  
to said purchaser and bring the same into court for its  
approval -  
J. M. Smith

Subscribed and sworn to before me this 16 day of April 1890.



J. M. Smith  
Notary Public



No. 898

Hendricks & Co.,  
May Penn 1890

In the matter of the  
estate of Thomas  
Miller, deceased

Report of Land Sale

Appearance  
of the  
Judge

FILED  
MAY 6 1890

E. H. Hogate  
CLERK



THOMAS MILLER

ESTATE

1889

HENDRICKS COUNTY, INDIANA