

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.

SARAH SHERRILL

GUARDIANSHIP

1896

HENDRICKS COUNTY, INDIANA



*Guardianship*

No. *1404*

**HENDRICKS CIRCUIT COURT.**

*David W. Sherrill*

vs.

*Sarah B. Sherrill*

Judgment, \$

Relief.

Date, 18

Interest at per cent.

Order Book No., Page

Filed *Nov 21* 18 *90*

*Wells B. Weston*

Clerk.

Plaintiff's Attorney.

Fee Book No. *7*, Page *314*



State of Indiana :

Hendricks County :

In the Hendricks Circuit Ct

November Term, 1886

To the Honorable John V. Hadley,

Judge of said Court.

The undersigned, David W. Sherrill, as guardian of Sarah Sherrill, a person of unsound mind, would represent and show the Court that his said ward, Sarah Sherrill holds a joint mortgage with David W. Haines, Harrison B. Tincher, Rheuben Melles, James Vaughan, Marcus L. Lucas, William Wright, Hannah P. Cox, Nicholas Shultz, Elisha Buis, Elijah Grantham, Sarah Sherrill, Elijah R. Arnold, Francis M. Allee, Eliza Garrison, William H. Allee and F. A. Allee, upon 520 acres of real estate in Putnam County, Indiana; which said mortgage was executed upon said real estate by John Vermillion his wife not joining therein. That said mortgaged indebtedness amounts to about \$16,000, including the accumulated interest.

That an agreement has been entered into between all of the mortgagees and the wife of the mortgagor, that they will convey, in full satisfaction of said mortgage, free from any incumbrances, 160 acres of said real estate to all of said mortgagees excepting William H. Allee, Francis M. Allee and F. A. Allee. That they will convey to the said Francis M. Allee, William H. Allee and F. A. Allee about 180 acres of real estate in consideration that the mortgagees will release their said mortgages and the indebtedness therein secured against the said John Vermillion. That the said wife of the said John Vermillion claims an interest in said real estate embraced in said mortgage to the



amount of about \$4,000, other than her inchoate interest as the wife of the said John Vermilion.

Your petitioner further shows the Court, that the amount of the indebtedness embraced in said mortgage out side of the indebtedness therein secured to Francis M. Allee, William H. Allee and F.A. Allee is about \$9,000. That all of the mortgagees in said mortgage have agreed to accept said proposition from the said John Vermilion and his wife, and he believes that it will be to the interest of his said ward whose claim is about \$800.00 to accept said proposition. That by doing so he is satisfied that his said ward will realize out of said claim about 75 per cent. of said indebtedness.

That the said John Vermilion is wholly insolvent and that the mortgage security after paying the expenses of foreclosure and sale, and contesting the claim of the said wife of the said John Vermilion, ~~Suits for possession and partition~~, would not realize over 50 per cent.

He therefore asks the Court for permission to execute said agreement and also for an order to enter of record in the proper Mortgage Record, in the Recorder's Office of Putnam County, Indiana, full satisfaction of her interest in said mortgage and for all other proper relief in the premises.

J. W. Sherrill

SUBSCRIBED AND SWORN to this 5<sup>th</sup> day of <sup>January</sup> ~~December~~, 1897.

Will C. Martin Clerk  
Notary Public.



State of Indiana  
Hendricks County  
Hendricks Circuit  
Court, January  
Term 1896

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In Re Guardianship  
of Sarah Sherrill

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David W. Sherrill  
Guardian

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Petition to Satisfy  
Mortgage

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Jan 5 4 1897  
Charles Johnson Clerk  
J. W. J. J.



Ed. Post, David Howell  
J. D. Masten, Clerk of the Court for  
Amount to the foregoing petition occurs  
each & says Allegation therein undenies

Wheeler Masten, Clerk

FILED

MAY 12 1897

Wheeler C. Masten

CLERK HENDRICKS C. C.

FILED

MAY 12 1897

Wheeler C. Masten

CLERK HENDRICKS C. C.

Geo. D. Patton  
att'y for Petitioner

No 1405<sup>88</sup>

Sherrill  
vs

Sherrill

Petition for  
discharge of  
Juraidict



1438  
No 7405

State of Ind.  
County of Hendricks Co } S.D.

In the Hendricks Circuit Court  
May Term 1897

In the matter of the  
Guardianship of Sarah Sherrill

To the Judge of the Hendricks Circuit Court  
Your Petitioner Sarah Sherrill  
a <sup>guardian of Hendricks Co Ind</sup>  
alleges that heretofore Jan 5<sup>th</sup> 1897  
she was adjudged insane and David W  
Sherrill was on said day appointed  
by this court her guardian and duly  
accepted the trust

That since the appointment of said  
guardian your petitioner has fully  
recovered and is now a person of  
sound mind and capable of managing

Wherefore your petitioner prays  
that she have her property restored  
to her and that said guardian  
be discharged.

Geo. D. Palmer  
Attorney for Petitioner



JOHN P. ALLEE.

ATTORNEY AT LAW.

ROOMS 1, 2 AND 3 ALLEE BUILDING,  
GREENCASTLE, IND.

Greencastle, Ind.

Jan 5th, 1896

Clerk of Hendricks Cir.Ct.  
Danville, Ind.

Dear, Sir:-

Inclosed I herewith send you papers in the case of Sherrill vs Sherrill; also a prepared entry as indicated by the Court. Please compare with the Judges' minutes and see that the matters correspond in the prepared entry with the minutes made by the Judge.

Please acknowledge receipt of same as it is a matter of considerable importance. *I also inclose for entry in the application of Sherrill to satisfy mortgage -*  
Very truly yours,

*John P. Allee*



David W. Sherrill  
(W)  
Sarah Sherrill  
Entry

Q 19 P 470



No-----

David W. Sherrill

vs

Sarah Sherrill

Comes the plaintiff and shows the Court that he files statement herein that defendant is a person of unsound mind and is incapable of managing her estate, in these words and figures to-wit:- (hereinsert) and that summons was issued and served on the defendant more than 10 days prior to the day ~~set for~~ the hearing of this cause; which summons and the return of the sheriff thereon indorsed is in these words and figures to-wit:- (here insert). And the Clerk files answer herein in denial in these words and figures to-wit:- (hereinsert).

And this cause being at issue, the jury is waived by the parties and submitted to the Court for trial, and the Court having heard the evidence, finds for the plaintiff that said defendant is a person of unsound mind and incapable of managing her own estate.

It is therefore considered by the Court that said defendant is a person of unsound mind and incapable of managing her estate, and it is ordered by the Court that David W. Sherrill be and he is hereby appointed guardian of the said Sarah Sherrill, and he is ordered to give bond in the sum of \$1500 with Allen Heavenridge and William Wallace as his securities. Comes now the said David W. Sherrill and files bond in the sum of \$1500 with Allen Heavenridge and William Wallace as his securities, which is approved by the Court.



Petition to  
satisfy mortgage

8

FILED

JAN 5 1887

Wm. C. Masten

CLERK HENRICKS & CO.

R



State of Indiana :  
Hendricks County : 33

In the Hendricks Circuit Court.

January Term, 1837.

In Re Guardianship of Sarah Sherrill.

Daivid W. Sherrill, Guardian.

Comes now David W. Sherrill,  
as guardian of Sarah Sherrill and files his petition with the Court;  
which petition is in these words and figures to-wit:- (here insert)  
praying the Court for an order to enter of record in the Recorder's  
Office of Putnam County, Indiana, a partial satisfaction of a certain  
mortgage, executed by John Vermilion to said Sarah Sherrill, et al,  
in said petition more particularly described; and the Court having  
heard the evidence in said petition, grants said order and orders  
said guardian to enter of record in the proper record in the Recorder's  
Office of Putnam County, Indiana, a partial satisfaction of  
said mortgage as prayed for in said petition.



Arrows

Sherrill  
vs.  
Sherrill

Entry

Filed May 12. 97

Miss G. Masten  
Clerk



David W. Sherrill

vs

Sarah Sherrill

*petitioner* David W. Sherrill

Comes now the ~~defendant~~ and  
shows to the court that she has  
filed her petition praying that  
her guardian be discharged  
and her property be restored to  
her which petition is in  
words and figures following

to wit (h.d.) ~~And~~ *And* ~~that~~ *that* ~~the~~ *the* ~~court~~ *court* ~~has~~ *has* ~~heard~~ *heard* ~~the~~ *the* ~~evidence~~ *evidence* ~~and~~ *and* ~~finds~~ *finds* ~~that~~ *that* ~~the~~ *the* ~~defendant~~ *defendant* ~~is~~ *is* ~~now~~ *now* ~~a~~ *a* ~~person~~ *person* ~~of~~ *of* ~~sound~~ *sound* ~~mind~~ *mind* ~~and~~ *and* ~~capable~~ *capable* ~~of~~ *of* ~~managing~~ *managing* ~~her~~ *her* ~~estate~~ *estate*

*And this cause being sub-*  
mitted to the court for trial

~~and~~ finding and decree, with  
out the intervention of a jury  
and the court having heard the  
evidence, finds that the defendant  
*Sarah Sherrill* ~~is~~ *is* ~~now~~ *now* ~~a~~ *a* ~~person~~ *person* ~~of~~ *of* ~~sound~~ *sound* ~~mind~~ *mind* ~~and~~ *and* ~~capable~~ *capable* ~~of~~ *of* ~~managing~~ *managing* ~~her~~ *her* ~~estate~~ *estate*

*It is therefore ordered* ~~consistent~~ *consistent*  
by the court that said ~~defendant~~ *petitioner*  
is a person of sound mind and  
capable of managing her estate

and it is ~~ordered~~ *ordered* that guardian  
be now discharged and her property  
restored to the possession.



FILED

JAN 5 1897

Wm. C. Maston

CLARK HENNINGSON & CO.

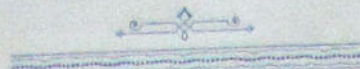
FILED

JAN 5 1897

Wm. C. Maston

CLARK HENNINGSON & CO.





CIRCUIT COURT  
BEGINS

FIRST MONDAY IN JANUARY.  
FIRST MONDAY IN MARCH.  
FIRST MONDAY IN MAY.  
FIRST MONDAY IN SEPTEMBER.  
FIRST MONDAY IN NOVEMBER.

# HENDRICKS' CIRCUIT COURT

MELL. C. MASTEN, Clerk.

David H. Sherrill  
vs  
Sarah Sherrill  
No 1455

Danville, Ind., \_\_\_\_\_ 189\_\_

Mell C Masten Clerk  
of the Hendricks Circuit Court  
for answer, in behalf of the  
defendant, Sarah Sherrill, says  
that he denies each and every  
material allegation in plaintiffs  
petition,

Mell C Masten Clerk



David W. Sherrill

vs

Sarah Sherrill

Sherrill  
Aff.

No  
1405-  
14

FILED

NOV 21 1898

Wm C. Martin

CLERK HENDRICKS C. C.



State of Indiana Hendricks County  
In the Hendricks Circuit Court  
David W. Sherrill, <sup>Not. Term 1896</sup> being first  
duly sworn upon his oath  
states that he is a resident  
of Hendricks County Indiana  
and that Sarah Sherrill  
is his wife and is an  
inhabitant of said County  
and state, that the said Sarah  
Sherrill is a person of unsound  
mind and is incapable of  
managing her estate, that she  
has an estate to be  
administered by W. Sherrill

Subscribed and sworn to This  
the 2<sup>nd</sup> day of November 1896.

~~Attest~~ M. L. Master

Clerk Hendricks C. C.



SARAH SHERRILL

GUARDIANSHIP

1896

HENDRICKS COUNTY, INDIANA