

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.

KEZIAH SMALL

ESTATE

1855

HENDRICKS COUNTY, INDIANA

No 123

Heziah Small's  
Estate.

Letters issued. 12th Jan'y 1856.

Warren Cox Executor

462 477 516. 44

Bond \$600.00

Edmund W. Stranghan {Scty.

Heziah

**Know all Men,** That we, *Harmon Cox & Edmund H. Stroughan* are bound unto the State of Indiana in the penal sum of *Six hundred* dollars, for the payment of which we jointly and severally bind ourselves, our heirs, executors, and administrators. Sealed and dated the *12th* day of *January* 1856

The Condition of the above Obligation is, That if the above bound *Harmon Cox* shall faithfully discharge the duties of his trust as executor of the last will of *Neziah Small* deceased, according to law, then the above obligation is to be void, else to remain in full force.

*Harmon Cox*

*E. H. Stroughan*



Approved by me, the *12* day of *January* 1856

*John Gros*

C. C. C. P. *Hendricks* County.

STATE OF INDIANA,

*Mendick*

County, ss.

*I, Harman Cox affirm* ~~that~~ *that I will faithfully discharge*  
*the duties of my trust as executor of the last will of Herzieb Small*  
*deceased, according to law, so help me God.* *& this is my affirmation &c*

Subscribed and sworn to before me, this

*12th*

day of

*January*

1856

*Harman Cox*  
*John Brown*  
C. C. C. P. *Mendick* C

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

185

C. C. C. P.

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

185

C. C. C. P.

COUNTY.

know all men by these presents that J. Kezia Small in the county of Hendricks and State of Indiana considering the uncertainty of this life and being of sound mind and memory do make declare and publish this my last will and testament—

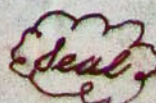
- 1 First. my will is that all my just debts shall be paid out of my estate by my executor herein after named—
- 2 Second. I give and bequeath to my sister Lydia Hoover wife of Joshua Hoover— one dollar in money to have and to hold the same to her and to her heirs executors administrators and assigns to her and their use and behoof for ever—
- 3 Third. I give and bequeath to my sister Jane Ratliff wife of Thomas Ratliff— one dollar in money to have and to hold the same to her and to her heirs executors administrators and assigns to her and their use and behoof for ever—
- 4 Fourth. I give and bequeath to my brother John Small one dollar in money to have and to hold the same to him and to his heirs executors administrators and assigns to his and their use and behoof for ever—
- 5 Fifth. I give and bequeath to my brother Benjamin Small one dollar in money to have and to hold the same to him and to his heirs executors administrators and assigns to his and their use and behoof for ever—
- 6 Sixth. I give and bequeath to my brother Joseph Small one bed and bedding and twenty five dollars in money to have and to hold the same to him and to his heirs executors administrators and assigns to his and their use and behoof for ever—

7. Seventh - I give and bequeath to my three sisters namely  
by Rebecca Cox wife of Harmon Cox - Rachel Small -  
Catharine Small - two beds and bedding and the remain-  
ing - or - remainder - of my bed clothes - and all the remain-  
der of my money and notes after the settling of my estate  
according to my will - be it more or less - to be  
equally divided amongst the three - before named -  
to have and to hold the same to them and to their heirs  
executors administrators and assigns to them and  
their use and behoof for ever -

8. eight - I give and bequeath to my three sisters namely  
Rebecca Cox - Rachel Small - Catharine Small -  
all my wearing apparel - to be equally  
divided amongst them three - for their use

Lastly - it is my will that my brother in law Harmon  
Cox to be my executor of this my last will and  
testament whom I hereby constitute and appoint  
for that service -

In testimony whereof - I hereunto set my hand  
and affix my seal and publish and declare this  
my last will and testament - This 15<sup>th</sup> day of the  
eight month in the year of our Lord - one thou-  
sand eight hundred and fifty five

Kerzia Small 

Signed - sealed - declared - and published by the said  
Kerzia Small as and for her last will and  
testament - in presents of us - who at her request  
and in her presence and in presents of each  
other have subscribed our names as witnesses

Ezra H Cox

Jane Bryant

Benjamin Cox

State of Indiana Hendricks County Set

Be it remembered that on the 17th day of December in the year Eighteen hundred and fifty five. Ezra H Cox and Jane Nagaw two of the witnesses to the foregoing instrument of writing came before me John Irons Clerk of the Court of Common Pleas of said County and on being by me duly affirmed according to law, depose and say that they saw Rezia Small subscribe said instrument and heard her declare the same to be her last Will and Testament, that they subscribed their names thereto as witnesses, at her request in her presence and in the presence of each other and that at the time of executing the same was competent to devise her property and was not at the time laboring under any coercion or restraint from others and further saith not.

Ezra H Cox

Jane Nagaw

Subscribed & Affirmed to before me this 17 December 1855

John Irons Clerk.

State of Indiana Hendricks County Set.

I John Irons Clerk of the Court of Common Pleas of said County, Certify that the foregoing last will of Rezia Small, late of said County deceased, has been duly admitted to probate; that its due execution was this day proven by Ezra H. Cox and Jane Nagaw, whose proofs together with such will have been duly recorded on page of Will Record No 2, in our Office.

Witness my name and the seal of said Court at Danville this 17th December 1855.

John Irons Clerk

Hesie Small's  
Estate.

Will.

800 words of Record

E

Filed in my Office 17  
December A.D. 1853.  
John Irons Clerk

# Affidavit of appraisers

State of Indiana }  
Hendricks County }

We Jacob Jessup and Warner Kellum swear that  
we will honestly appraise the personal Estate of Hesiah  
Small Deceased which may be exhibited to us  
So help us God

Jacob Jessup  
Warner Kellum } appraisers

Subscribed and sworn to before me  
the 15th day of January 1856

Henry Taylor  
Justice of the peace

An inventory of the personal estate of  
Hesiah Small Deceased taken by Harmon  
Cox Executor and appraised by Jacob  
Jessup & Warner Kellum

1	Bed & bedding	\$14.00
2	Feather beds & Pillars	11 00
	A lot of bed clothes	39.50
	Money & notes	\$5.60.25
	Total	<u>644.75</u>
	Wt no	15th 1856

Jacob Jessup  
Warner Kellum } Appraisers

State of Indiana Hendricks County Set.

I Harmon Cox Executor of the last Will of  
Reziah Small's <sup>deceased</sup> Estate affirm that the within is a true and  
complete Inventory of all the personal property belonging to the  
estate of said decedent which has come to my knowledge  
and this is my affirmation &c Harmon Cox

Subscribed & Affirmed to before me this 8th February 1856  
John Snow Clerk

Reziah Small's  
Estate

Inventory

Filed in my Office  
8 February 1856  
John Snow Clerk

The State of Indiana  
Hendricks County

In Court of Common Pleas  
of said County February Term  
AD. 1857

The Undersigned Executor of the last Will and Testament  
of Hizziah Small late of the County of Hendricks Indiana, deceased  
would report to said Court the following final settlement  
report The said ~~Executor~~ Executor charges himself  
with the full amount of the personal Estate of said deceased  
as shown by the Inventory on file heret  
The sum of Six hundred and forty four & <sup>75</sup>/<sub>100</sub> Dollars \$ 644.75

The said Executor also claims the following credits  
under the first clause of the will of said deceased  
By amount paid Temple Mendenhall for digging Grave as per receipt N<sup>o</sup> 1 \$ 2.00  
" " " Willis H. Wittliffe for coffin " " " " 2 5.00  
" " " David Hutcheson medical Bill " " " " 3 5.75  
" " " John Hagan proving will " " " " 4 .50  
" " " Ezra H. Cox " " " " 5 1.00  
" " " Joseph & Kellam appraisers " " " " 6 .75  
" " " Levenia Dartman Tombstones " " " " 7 3.50  
" " " John Irons Clerk Fees " " " " 8 12.88  
" " " S. T. Hadley Atty Fees " " " " 9 1.50

making amount of Credits \$ 32.88  
which taken from the above leaves in his hand \$ 611.87  
to be paid out to the Legates which he does under  
the provisions of the Will as follows to wit

paid to Joseph Small Legatee as per receipt N<sup>o</sup> 10 \$ 39.00  
" " Catharine Small " " " " " 11 189.50  
" " Rebecca Cox " " " " " 12 189.50  
" " Rachel Small " " " " " 13 189.50

and now pays into Court the sum of four Dollars 4.00  
to be paid out to the following named Legates (it being  
one Dollar each) to wit Lydia Hoover, Jane Battiff, John

Small and Benjamin Small making the amount paid  
out to Legates and into Court 611.50  
which deduct from the last indebtedness leaves in his hands  
which he retains in his hands for his services as such Executor .37

And which fully closes the business of said Estate under the  
will be therefore prayed to be discharged from any <sup>further</sup> duties as such  
Executor  
Harmon Cox

Harmon Cox the Executor who makes the foregoing settlement  
report upon his affirmation says the same is true to the best of  
his knowledge  
Harmon Cox

subscribed and affirmed to before me this  
10<sup>th</sup> day of February A.D. 1857  
John Irons clerk.

Elizabeth Small Estate

Report and  
Settlement of  
Executor

Filed in open court

Feb. 12. 1857

John Irons clerk

Mooreville Sept 15<sup>th</sup> 1856  
Recd of Harmon Cox Exect<sup>r</sup>  
of the last will & Testament of  
Kizia Small late of Hendricks  
County decd in full of all  
charges against her. ~~five~~  
dollars & seventy five cents  
(David Hutchinson)

January 16<sup>th</sup> 1856  
Received of Harmon Cox Executor  
of the last will and Testament  
of Kizia Small <sup>deceased</sup> five dollar  
in full for an coffin  
Wm. A. Gilchrist

Received of Harmon Cox executor of the last will and Testament  
of Kizia Small. late of Hendricks County deceased - two dollars  
in full. for digging of a grave - for the said deceased as aforesaid  
This 1<sup>st</sup> day of 5<sup>th</sup> month 1856

Temple Mendenhall

No 3  
David Montebello  
\$ 5.75

No 2  
Wells & Wilbur  
\$ 5.00

No 1  
George Montgomery  
\$ 2.00

Received of Harmon Cox executor of the  
last will and testament of Herzia Small late  
of Hendricks county deceased seventy five cents  
for appraising the property of the said  
deceased

1st mo 15<sup>th</sup> 1856  
Jacob Jessup } appraiser  
Warner Stillum }

Received of Harmon Cox executor of the last will and  
testament of Herzia Small late of hendricks <sup>county</sup> deceased  
one dollar for going to danville as a witness to  
prove the will of the said deceased as aforesaid  
this 14<sup>th</sup> of the first month 1856

Ezra H Cox

Received of Harmon Cox executor of the last will and tes  
tament of Herzia Small late of hendricks county deceased  
fifty cents for going to danville as ~~pro~~witness to prove the  
will of the said deceased as aforesaid - 15 of the 1<sup>st</sup> mo - 1856  
Jane Reegan

No 6  
Joseph H. Mann  
\$ .75-

No 5  
Quartace  
\$ 1.00

No 4  
James Hagan  
\$ .50

Received February 10<sup>th</sup> 1857 of Harmon Cox Executor of the  
last Will and Testament of Hizziah Small deceased One Dollar and  
fifty cents attorneys fee in the settlement of said estate.  
S. T. Headley

Hizziah Small's Estate  
Recd. Jan'y. 28. 1837 of Harmon Cox Exr.  
Twelve dollars and 88 cents in full of the Court fees in said  
Estate  
John Irons Clerk

Received of Harmon Cox executor of the last  
will and Testament of Hizziah Small late of  
hendricks county deceased Three & fifty cts in  
full for a set of tomb stones  
Levenia Dushman  
per J. P. Davis  
Indianapolis Feb 21, 1896

No 9  
S. S. Hadley  
\$150

No 8  
John Choro  
\$12.88

No 7  
Donna & Duthman  
\$3.40

Received of Harmon Cox executor of the last will and testament of Kerzia Small late of Hendricks county deceased - one third part of two feather beds and pillows - and the third part of the remainder of the bed clothes - appraised at twenty three dollars and fifty cents - and one hundred and sixty six dollars in money - which are bequeathed to Rebecca Cox wife of Harmon Cox by said last will and testament of said Kerzia Small deceased as aforesaid - and the third part of the wearing apparel - also -  
this second day of february 1856 - Rebecca Cox

Received of Harmon Cox executor of the last will and Testament of Kerzia Small late of Hendricks county deceased - and one third part of two feather beds and pillows - and the third part of the remainder of the bed clothes - appraised at twenty three dollars and fifty cents - and one hundred and sixty six dollars in money - which are bequeathed to Catharine Small - by said last will and testament of said Kerzia Small deceased - as aforesaid - and the third part of the wearing apparel - also -  
this 2<sup>d</sup> of february 1856 - Catharine Small

Received of Harmon Cox executor of the last will and testament of Kerzia Small late of Hendricks county deceased one bed and bedding - appraised at fourteen dollars - and twenty five dollars in money - which are bequeathed as a legacy to Joseph Small by said last will and testament of said Kerzia Small deceased as aforesaid  
february the 5 1856 Joseph Small

No 12  
Melissa boy  
\$ 189.50

No 11  
Catherine Small  
\$ 189.50

\$ 20.50  
23.50

No 10  
Joseph Small  
\$ 39.00

Received of Harmon Cox executor of the last will and testament  
of Kezia Small late of Hendricks county deceased  
one third part of two feather beds and pillows - and the third  
part of the remainder of the bed clothes - appraised at twenty  
three dollars <sup>and</sup> fifty cents - and one hundred and sixty six  
dollars in money <sup>and notes</sup> which are bequeathed to Rachel Small by  
said last will and testament of said Kezia Small deceased -  
as aforesaid - and the third part of the wearing apparel - also -  
this second of february - 1856 -

Rachel Small

to 13

Rechel Small

\$189.50

KEZIAH SMALL

ESTATE

1855

HENDRICKS COUNTY, INDIANA