

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.

MARY SMALL

ESTATE

1855

HENDRICKS COUNTY, INDIANA

16 papers to file get  
and a statement about 800 words

500  
21 00  
14 00  
40,00

N. 105

# Mary Small's Estate.

Joseph Small Exr.

Letter issued 22 June '55

Bond \$600.00

427,419,436,475,515

540

Danl. Cox. Security

J. J. Hadley Atty.



Received June 9th 1843 of John & Miller by the  
hands of H. E. Gorton twenty five and fifty two  
cents in part of costs in a decree of sale in the  
case of Lewis W. Hasselman Almas Vinton &  
Nancy Watson against Albert E. Jones.



Know all Men, That we, *Joseph*  
*Small and Daniel Cox*

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  
*22nd* day of *June* 1855

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

*Joseph Small*  
*Daniel Cox*

Approved by me, the *22* day of *June* 1855  
*John Irons*  
C. C. C. P. *Wendricks* County



STATE OF INDIANA, Hendricks County, ss.

I, Joseph Small swear that I will faithfully discharge the duties of my trust as executor of the last will of Mary Small deceased, according to law, so help me God.

Joseph Small  
Subscribed and sworn to before me, this 29 day of June 1855

John Irons  
C. C. C. P. Hendricks 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.

Mary Small's Estate

Filed in my Office 22  
June 1855  
John Irons Clerk



know all men by these presents. that of Mary 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 -

First my will is that all my justs debts shall be paid out of my moneys by my executor. herein after named -

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 -

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 -

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 -

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 -

Sixth - I give and bequeath to my sister Rachel Small - one bead and beading. and stands 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 -



Seventh now I give and bequeath ~~my~~ my other head and remainder of my head cloaths and wearing apparel to my four sisters - namely - Rebecca Cox wife of Harmon Cox - Rachel Small - Kegia Small - Katharine Small to be equally divided amongst them - to have and to hold the same to them and to their heirs executors and administrators and assigns to them and their use and behoof for ever -

Eighth - I give and bequeath to my brother Joseph Small - all the remainder of my money - to have and to hold the same to him and to his heirs executors administrators and assigns to him and their use and behoof for ever -

Lastly - It is my will that my brother Joseph Small - 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 decree this my last will and testament - This twenty sixth day of the fourth month in the year of our Lord one thousand eight hundred and fifty five  
Mary Small Seal

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

Ella Lowder  
Pruth Lowder  
Chas. Lowder



State of Indiana Hendricks County Set.

Be it remembered that on the 9th day of June in the year of Our Lord One thousand eight hundred and fifty five, before me John Irons Clerk of the Court of Common Pleas of Hendricks County, personally came Charles Lowder, one of the subscribing witnesses to the within instrument of writing and on being by me duly affirmed according to law, upon his affirmation, deposes and says that he heard Mary Small. ~~deposes~~ said instrument to be her last will and testament, that he subscribed his name thereto as such witness, at her request, in her presence ~~and in the presence of the other witnesses~~, and that at the time of acknowledging said will she was competent to devise her property and was not under coercion. and further saith not.

Chas. Lowder

Subscribed and affirmed to before me the date above  
Witness my name and the seal of said Court  
at Danville this 9th June 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 within last will of Mary Small, late of said County deceased, has been duly admitted to probate, that its due execution was this day proven by Charles Lowder, whose proofs together with such will have been duly recorded at page of Will Record No 2 in my Office

Witness my name and the seal  
of said Court at Danville this 9th  
day of June 1855,  
John Irons Clerk



Mary Small's  
Estate

Will.

Filed in my Office  
9 June 1856  
John Irons clk.



An Inventory of the personal estate of Mary Small Deceased taken by Joseph Small Executor and appraised by John Pinson and Eli Newton

No	Description of property	Value
1	one Feather bed and bedding	\$ 17.00
2	one Feather bed and bedding	13.50
3	one Lot bed clothes	37.00
4	Bedstead and Board	4.25
5	Flax Wheel	1.00
6	Wearing apparel of Deceased	40.00
	And of estate	\$ 112.75

Signed by us the 30th day of 7th mo 1855

John Pinson  
Eli Newton } Appraisers

State of Indiana Hendricks County Sct.

I, Joseph Small, Executor of the Estate of Mary Small, deceased, <sup>affirm</sup> ~~swear~~ that the above and foregoing is a true and complete inventory of all the personal property belonging to said decedent which has come to my knowledge, ~~to help me out~~ and this is my Affirmation &c.

Joseph Small

Subscribed and affirmed to before me Aug. 3, 1855,  
John Irons Clerk.



Mary Small's  
Estate

Inventory  
\$112.75

Filed in my Office 2  
August 1858  
John Brown Clerk



The State of Indiana  
 Hendricks County } In Court of Common Pleas of  
 said County August Term  
 A.D. 1856

I Joseph Small Executor of the last Will and Testament of Mary Small late of said County do hereby report to said Court by way of final settlement of the Estate of said deceased as follows to wit:

The said Executor charges himself with the full amount of the Inventory of the Estate of said deceased as per Inventory on file  
 Received from the Estate of John Small the Father of the said Mary Small  
 Received from other sources the sum of  
 Making the total amount of Estate

\$112.75
500.00
55.25
<u>\$668.00</u>

The said Executor also claims the following credits for funeral expenses expense of Administration &c &c

By amount paid John Pinson appraiser as per Receipt N <sup>o</sup> 1	\$ 0.50
" " " Eli Newlin " " " " " 2	.75
" " " Isaac Osborn jun <sup>r</sup> " " " " " 3	.25
" " " Willis & White Coffin " " " " " 4	6.00
" " " J. Mendenhall digging grave " " " " " 5	2.00
" " " James Dona & Co Tombstones " " " " " 6	3.50
" " " John Lewis Clerk " " " " " 7	17.30
" " " S. T. Woodley atty " " " " " 8	<u>5.00</u>
Amount of Cr of this Class	\$35.30

He also claims the following credits for amounts distrib-  
 uted among the heirs to wit

By amount paid John Small as per receipt N <sup>o</sup> 9	\$1.00
" " " Benjamin Small " " " " " 10	1.00
" " " Rebecca Small " " " " " 11	56.12 1/2
" " " Rebecca Cox " " " " " 12	21.81



By Amount paid Catharine Small as per receipt N° 13	\$ 22.88
" " " " " " " " 14	23.93
" " " " " " " " " "	1.00
" " " " " " " " " "	1.00
Total amount distributed	\$ 126.76

which added to the other credits make \$ 162.04  
 which amount deducted from the whole amt of Estate being 505.99  
 which by the provisions of the will belongs to the said ~~to the~~  
 said Joseph Small the Executor aforesaid and which he retains  
 under said provision in his hands which closes the  
 business of said Estate he therefore prays to be discharged  
 from any further duty as such Executor

Joseph Small

Joseph Small the Executor who makes the foregoing  
 report upon his affirmation says the same is true  
 subscribed and affirmed to before me  
 this the 12 day of August AD. 1856 } Joseph Small  
 John Evans clerk

Mary Small's Estate

Report of  
 Special Settlement

Filed in open court  
 August 12. 1856  
 John Evans clerk



Received 31<sup>st</sup> of the 12<sup>th</sup> mo A.D. 1855 of  
Joseph Small Executor of the last will and  
testament of Mary Small deceased one bed  
and bedding and bedsteads and one fourth  
of the beds bedding and wearing apparel  
of the said Mary Small deceased remaining  
after taking the first bed aforesaid amounting  
in all by appraisement to forty four Dollars  
12<sup>cts</sup> all of which was bequeathed to me in  
& by the last <sup>will</sup> and Testament of said deceased  
Rachel Small



N<sup>o</sup> 11  
Rebecca Small  
of 51.12½



State of Indiana }  
Hendricks county }

We John Pinson and Eli Newlin do  
affirm that we will honestly appraise  
the personal property of Mary Small Deceased  
which may be Exhibited to us and this  
is our solemn affirmation

John Pinson }  
Eli Newlin } appraisers

Subscribed and affirmed to this the 30th day  
of July 1855 as given under my hand and seal  
Isaac Osborn Justice



Mary Small  
Estate

Appraiser's Oath

Filed in my Office 2  
August 1855.  
John Irons Clerk.



Received of Joseph Small Administrator of  
the estate of Mary Small <sup>Deceased</sup> Fifty Cents in  
full of my services as appraiser of the person  
estate of said deceased  
12th month 3rd 1855 John Pinson

Estate of Mary Small deceased  
Dr. To Eli Newlin for Services as Appraiser  
of her Estate — — — — — \$0.75

Received of Joseph Small Executor  
of said Mary Small, seventy five cents, in full  
of the above, this 6th day of 9th mo. 1855  
Eli Newlin

Plainfield October 5th 1855 Received  
of Joseph Small administrator of  
the Estate of Mary Small Deceased  
twenty five cents in full for qualifying  
the appraisers and Affidavit of the  
said Estate Isaac Osborn J.P.



N<sup>o</sup> 1  
John Brown  
\$0.50

N<sup>o</sup> 2  
Edw. Lincoln  
\$0.75

N<sup>o</sup> 3  
Lawrence  
\$0.25



Received of Joseph Small. Executor of the last will  
and Testament of Mary Small. late of Hendricks county  
deceased - Eleven dollars and eighty one ~~cents~~ worth of  
bedding and bed clothes - so appraise - and ten dollars  
of wearing apparel - bequeathed to Rebecca Cox by  
said last will and testament of said Mary Small deceased  
as aforesaid - This 31<sup>st</sup> of the 12<sup>th</sup> mo 1855

Rebecca Cox

Received July 29<sup>th</sup> 1856 of Joseph Small Executor  
of the Estate of Mary Small deceased Five Dollars  
attly fee in the settlement of said Estate  
J. J. Hadley

Mary Small's Estate

Recd. July 29. 1856 of Joseph Small  
Adm<sup>r</sup>. of said Estate Seventeen dollars and  
thirty cents, in full of the fee in said estate  
John Irons Clerk



N<sup>o</sup> 19  
Roberta (son)

\$ 91.81

N<sup>o</sup> 8  
J. T. Mackley

\$ 5.00

N<sup>o</sup> 7  
John Brown

\$ 17.30



Received of Joseph Small Executor of  
the last will and Testament of Mary Small  
deceased Two Dollars for digging Grave  
for said deceased

Temple Mendershall

Received of Joseph Small Executor of the last will  
and testament of Mary Small late of hendricks county  
deceased - thirteen dollars and ninety three -  $\frac{3}{4}$  - Cents - worth  
of bedding on bed clothes - so appraised - and ten dollars of  
wearing apparel - bequeathed to Kezia Small in full  
by said last will and Testament of said Mary Small  
deceased as aforesaid - This 21<sup>st</sup> day of the eleventh mo - 1855

Kezia <sup>her</sup> Small  
mark

Received 16<sup>th</sup> of the first mo. A.D. 1855 of  
Joseph Small Executor of the last Will and  
testament of Mary Small deceased one fourth  
part of a bed, bedclothes & wearing apparel of  
said deceased which was ~~be~~ bequeathed to me  
in and by the will of said deceased amount-  
ing by appraisement to twenty two &  $\frac{88}{100}$   
Dollars

Catharine Small



5  
Sample  
at Wm. Churchill  
\$2.00

N<sup>o</sup> 14  
Virginia Smith  
\$22.93

N<sup>o</sup> 13  
Catharine Smith  
\$22.88



Plainfield September 3<sup>rd</sup> 1855  
Received of Joseph Small  
Executor of the last will and  
Testament of Mary Small  
deceased Six dollars for one coffin  
for said deceased  
Willis H. Hill

Received \$ of the S. M. A. D. 1855 of Joseph  
Small Executor of the last Will and  
Testament of Mary Small deceased one  
Dollar that being the full amount  
bequeathed to me in and by said Will  
Benjamin Small

Received \$ of the S. M. A. D. 1855 of Joseph  
Small Executor of the last Will and Testament of  
Mary Small deceased one Dollar that being the  
full amount bequeathed to me in and by said  
Will  
John Small



A<sup>11</sup>  
W. H. & W. H.  
\$6.00

A<sup>10</sup>  
D. J. & W. H.  
\$1.00

A<sup>9</sup>  
J. H. & W. H.  
\$1.00



Recd of Joseph Small  
Executor of the estate of  
Merry Small deceased  
Three dollars and fifty cents  
in full for one sett of out-  
stems ~~for~~ deceased grove

Indianapolis Jason Danner,  
Aug. 18 1855 Ind.



No 6

JAMES DAVIS  
J. Davis



MARY SMALL

ESTATE

1855

HENDRICKS COUNTY, INDIANA