

Land Sale.

~~disposed of at Sept. Term 1895~~  
No. 1321.

Hendricks Circuit Court.

PROBATE.

GUARDIANSHIP OF

Temperance U. McCalumet.  
(Insane)

Guardian.

G. D. No. Page

F. B. No. 7. Page

Filed March 18, 1895

Charles Foley.  
Guardian's Attorney.

State of Indiana, Hendricks County  
In the Hendricks Circuit Court  
March Term A. D. 1895.

Estate of  
Temperance Ann McCalment,  
a person of Unsound mind.

James J. Smith as Guardian  
of the person and property of Tem-  
perance Ann McCalment, a  
person of Unsound mind,  
states and represents to the  
court, that his Ward has no per-  
sonal estate; that she is sixty  
five years old and is not  
capable of making a living  
or of helping to make a  
living; that she is an in-  
mate of the County poor as-  
ylum and has been for  
more than a year last past  
and has to be cared for; that  
there has been no disposition of  
any personal estate of said  
Ward that he knows of; that  
said Ward has no personal estate  
dependent on the settlement of any

estate or the execution of any trust; that said Ward owns in Fee Simple the following described Real Estate situated in Hendricks County, State of Indiana, to wit: A part of the North East quarter of Section Eight (8) in Township Fifteen (15) North and in Range One (1) East, bounded as follows, to wit: Beginning at the South West corner of said North East quarter and running from thence North Eighty (80) Rods; thence East Thirty Eight (38) Rods; thence South Eighty (80) Rods and thence West Thirty eight (38) Rods to the place of beginning, containing Nineteen (19) acres, subject to the Right of Way of the Indianapolis and Saint Louis Rail Road Company through the same. That the annual rental value of the same is about fifty dollars; that this Guardian has received no rent for said Real Estate; that said Real Estate was acquired

by said Ward, by inheritance  
from Alexander McCalment,  
deceased, who was her husband,  
and the title and ownership  
of said Real Estate was by this  
Court at the Last Term there-  
of, adjudged and decreed to  
belong to and be vested in  
said Ward).

That said Real Es-  
tate is chargeable with the ex-  
penses of the Last sickness of  
the husband of said Ward, in  
the sum of \$ and  
with the expenses of his funeral  
in the sum of \$41<sup>00</sup>. That  
said Real Estate has been sold for  
delinquent taxes which at this  
time will require \$9.53 to  
redeem the same and there  
are no funds with which  
to redeem it. That said  
Real Estate is in a dilapi-  
dated condition as re-  
gards the fences That  
said Ward is hard and troub-  
lesome to manage and  
control and for that reason

it is difficult to get any person to tend and care for her. That said Real Estate will not yield an income sufficient for the support and maintenance of said Ward and it is the belief of this Guardian that the only way by which the money can be raised to pay said expenses of last sickness and funeral, of the husband of said Ward, and to redeem said Real Estate from said tax sale, is to sell said Real Estate, which this Guardian says, will not sell to advantage in parcels.

Wherefore said Guardian asks the Court to order and decree the sale of said Real Estate on such terms and conditions as may seem to the Court to be best. And said Guardian verifies this petition with his oath. James P. Smith, Guardian Subscribed and sworn to on this March 18<sup>th</sup> A. D. 1895.

David Hadley, Clerk.

1321  
Estate of  
Temperance Ann  
McCalment, a  
person of un-  
sound mind.

Petition for  
Order to sell  
Real Estate.

Enter of date 18<sup>th</sup>

FILED

MAR 13 1895

Amel H. Bailey  
CLERK

State of Indiana, Hendricks County  
In the Hendricks Circuit Court  
March Term A. D. 1895.

Estate of  
Temperance Ann McCalment,  
a person of Unsound mind.

+ + +

I, James S. Smith, Guardian  
of the person and property  
of said Temperance Ann  
McCalment, a person of  
Unsound mind, state  
to the Court that since the  
Order and Decree for sale  
of my said Ward's Real  
Estate made and rendered  
at the present term of  
this Court, I have met  
with an opportunity to  
sell said Real Estate for  
five hundred and Twen-  
ty five dollars, that being  
more than the appraised  
value thereof, provided  
said Order and Decree of  
Sale is so changed and  
modified that the sale can

be made and approved at  
the present term of this  
Court. I think it would  
be to the best interest of  
my Ward so to do and  
ask the Court to change  
and modify said order  
and decree so that no-  
tice of such sale can  
be and is dispensed  
with, which I think, is  
all the change that is  
necessary to be made.

James D. Smith

Subscribed and sworn to on  
this March 23<sup>d</sup> 1895.

David Hadley Clerk

+++

Estate of  
Temperance Ann  
McCalumant,  
Unsound mind.

X-X

Supplemental  
petition.

March 25<sup>th</sup> 1895  
Pet. granted & ordered  
multiplied so as to make  
and without notice  
David Hadley  
Clerk






Know all Men by these Presents, That we, *James D. Smith, William A. Smith and Thomas A. Skillman* are bound unto THE STATE OF INDIANA, in the penal sum of *One thousand* Dollars, to pay which we jointly and severally bind ourselves, our heirs, executors and administrators.

Sealed and dated, the *18<sup>th</sup>* day of *March* 18*85*.

THE CONDITION OF THE ABOVE OBLIGATION IS, That as the above bound *James D. Smith* Guardian of *Temperance Ann McCalment*, a person of *unsound mind* ~~minor heirs of~~ *widow of Alexander McCalment* deceased, has been ordered by the Circuit Court of *Hendricks* County, to sell *certain* Real Estate of the *said Temperance Ann McCalment*

Now, if the said *James D. 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.

*James D. Smith*   
*William A. Smith*   
*Thomas A. Skillman* 

Approved the *18<sup>th</sup>* day of *March* 188*5*

*John W. Wadley* Clerk  
 Judge of the Circuit Court *Hendricks* County,  
 State of *Indiana*

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 \_\_\_\_\_ 188\_\_\_\_\_

\_\_\_\_\_  
 Clerk  
 Circuit Court 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.

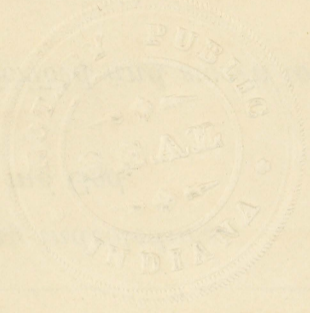
Subscribed and sworn to before me, the \_\_\_\_\_ day of \_\_\_\_\_ 188\_\_\_\_\_

\_\_\_\_\_  
 Clerk  
 Circuit Court of \_\_\_\_\_ County.

State of Indiana, Hendricks County.  
Before me, Charles Foley, a  
Notary Public within and for said county  
on this March 18<sup>th</sup> A.D. 1895, personally  
came James D. Smith, William  
A. Smith and Thomas A. Skillman,  
to me well and personally known,  
and acknowledged the execution of  
the annexed Bond.

Witness my hand and No-  
tarial seal on this March 18<sup>th</sup> A.D. 1895.

Charles Foley  
Notary Public



1321.

GUARDIAN'S

Bond to Sell Real Estate.

ESTATE OF

Temperance Ann  
McCallum of  
Deceased.  
Mansour Ahmad  
Guardian.

James D. Smith  
Guarantian.

Minor Heirs.

FILED

MAR 18 1895

David Buckley  
CLERK

Filed day of 18

Term.

Clerk.

State of Indiana, Hendricks County.  
I, David Hadley, clerk of the  
Hendricks Circuit court of the state  
of Indiana, hereby certify that  
William J. Hoadley and James B. Dooley  
of said county have been appointed  
by said Court appraisers of the fol-  
lowing described Real Estate situ-  
ated in said county, to wit:

A part of the North East quarter of  
Section Eight (8) in Township Fif-  
teen (15) North and in Range One (1)  
East, bounded as follows, to wit:  
Beginning at the South West corner  
of said North East quarter and run-  
ning from thence North Eighty (80)  
Rods; thence East Thirty eight (38)  
Rods; thence South Eighty (80) Rods  
and thence West Thirty eight (38)  
Rods to the place of beginning,  
containing Nineteen (19) acres,  
subject to the Right of Way of the  
Indianapolis and Saint Louis  
Rail Road company through the  
same. Said appraisers are to  
report their appraisement to said  
Court at the present Term thereof.  
In testimony whereof

I said David Hadley, clerk aforesaid  
have hereto set my hand and  
affixed my official seal on this  
March 18<sup>th</sup> A. D. 1895.

David Hadley Clerk

State of Indiana, Hendricks County.

Before me, David Hadley,  
clerk of the Hendricks Circuit  
court of the State of Indiana,  
on this March 18<sup>th</sup> A. D. 1895,  
personally came William J. Hooley  
and James B. Dooley, the above  
named appraisers, who being by  
me first duly sworn, say  
on their respective oaths, that  
they will truly and impartially  
appraise the Real Estate describ-  
ed and set forth in the above  
certificate, at its fair cash  
value.

William J. Hooley  
James B. Dooley

Subscribed and sworn to on this March 18<sup>th</sup> A. D. 1895.

David Hadley Clerk

State of Indiana, Hendricks County.

The undersigned appraisers mentioned in the above certificate to appraise the Real Estate described and set forth in said certificate, being personally well acquainted with said Real Estate, hereby appraise the same at its fair cash value at four hundred and fifty dollars. Witness our hands and seals on this March 18<sup>th</sup> A. D. 1895.

W. J. Hoedley  
James B. Tooley

<sup>1321</sup>  
Estate of  
Temperance Ann  
McCalment, a  
person of un sound  
mind.

Certificate of  
appointment of  
appraisers, their  
oath and appraise-  
ment.

FILED

MAR 18 1895

Sam'l Sealey  
CLERK

Matter in the Estate of  
Temperance Ann McCalment, } Land Sale.  
a person of Unsound mind. }

Comes now James D. Smith Guardian of the person and property of Temperance Ann McCalment, a person of Unsound mind, with Charles Foley, his attorney, and files and presents to the Court, his petition in writing, subscribed and sworn to by him, all being in these words and figures to wit: (Here <sup>Copy Pet.</sup> Insert) asking for an order and decree for sale, at private sale, of the following described Real Estate owned by his said Ward, situated in Hendricks County, State of Indiana, to wit: A part of the North East quarter of Section Eight (8) in Township Fifteen (15) North and Range One (1) East, bounded as follows, to wit: Beginning at the South West corner of said North East quarter and running from thence North Eighty (80) Rods; thence East Thirty eight (38) Rods; thence South Eighty (80) Rods and thence West

Thirty eight (38) Rods to the place of beginning, containing Nineteen (19) acres, subject to the right of way of the Indianapolis and Saint Louis Rail Road Company through the same.

And the Court having examined said petition and finding it sufficient and having heard and considered the evidence produced and being satisfied of the propriety and necessity of selling said Real Estate, described by numbers as aforesaid, Orders and decrees the sale of the same by said Guardian, at private sale, for not less than the full appraised value thereof, the purchase money therefor, to be paid One third cash down, One third in six and One third in Twelve months from the day of sale, the deferred payments to bear interest at the rate of six per cent per annum from the day of sale, said Guardian first giving



notice of the time, place and terms of sale by posting printed notices thereof in not less than five public places in said county, three of which shall be in the Civil Township (Washington) in which said Real Estate is situated. And thereupon the Court appoints William J. Hoadley and James B. Dooley, two disinterested and resident freeholders of said county, to appraise said Real Estate, described by numbers as aforesaid, and orders that they first take an oath to truly and impartially appraise said Real Estate at its fair cash value, such oath to be indorsed on the certificate of their appointment and to report their appraisement to the Court at the present term thereof and thereupon the said William J. Hoadley and James B. Dooley come into court and file the certificate <sup>issued to them</sup> of their appointment with their oaths indorsed thereon and they also file and acknowledge their appraisement of said Real Estate, at four hundred and fifty

dollars, in writing, signed by them, all being in these words, To wit: (Here Insert). And thereupon said Guardian files and presents to the Court for approval a Bond executed by him with William A. Smith and Thomas A. Skillman, as his Sureties thereon, in the sum of One thousand dollars, <sup>that being</sup> more than double the appraised value of said Real Estate, for the faithful discharge of his duties in the making of such sale and the payment and accounting for all money arising therefrom, which Bond is <sup>by the Court</sup> examined ~~by the Court~~ and found to be sufficient and is approved by the Court, in writing thereon, all being in these words To wit: (Here Insert) and this matter is continued for further proceedings.

1521.

Estate of  
Temperance Ann McC-  
Calment, a person  
of the-sound mind.

Entry ordering sale  
by Guardian.

FILED

MAR 18 1895

Amel Haskley  
CLERK

In Hendricks lot stat of Ind  
Monday March 18 1895 + 13 day of  
Term

OB 18 p 320

No 1321 Land Sale

State of Indiana, Hendricks County  
In the Hendricks Circuit Court.  
September Term A. D. 1895.

Estate of } Land Sale  
Temperance Ann McCaliment } No-1321.  
a person of Unsound mind. }

I, James D. Smith, as Guardian  
of the person and property of Temperance  
Ann McCaliment, a person of unsound  
mind, hereby report to the court  
that pursuant to the Orders and De-  
crees of this Court made at the March  
Term A. D. 1895, thereof, on the petition  
and supplemental petition filed  
by me at said term, I offered for  
sale, at private sale, without notice,  
the Real Estate of my said Ward situ-  
ated in Hendricks County, State of  
Indiana, described as follows,  
to wit: A part of the North East quarter  
of Section Eight (8) in Township Fifteen  
(15) North and Range One (1) East, bound-  
ed as follows, to wit: Beginning  
at the South West corner of said North  
East quarter and running from thence  
North Eighty (80) Rods; thence East

Thirty Eight (38) Rods; Thence South Eighty  
(80) Rods and thence West Thirty Eight  
(38) Rods to the place of beginning,  
containing Nineteen (19) acres,  
subject to the Right of Way of  
the Indianapolis and Saint Louis  
Rail Road company through  
the same. The opportunity men-  
tioned by me in said supplemental  
petition to sell said Real Estate at  
Five hundred and twenty five dol-  
lars failed entirely. On the  
first day of October 1895, I made  
a sale of said Real Estate unto  
Harlan Kadley for the sum of  
Four Hundred and Seventy <sup>two</sup> Dollars, one third  
of which sum that is One hundred and fifty seven  
and <sup>67</sup>/<sub>100</sub> Dollars has been paid cash down  
and the purchaser has executed to  
me his two promissory notes  
for the residue of said purchase mon-  
ey, each being for the sum of One  
hundred and fifty seven and <sup>67</sup>/<sub>100</sub> <sup>dollars</sup> and  
the other twelve months from the  
day of sale, both bearing interest  
at six per cent until maturity  
and to bear interest at eight per

cent after maturity until paid  
and secured by mortgage on said  
Real Estate executed by said pur-  
chaser. That was the highest  
and best offer I received for  
said Real Estate and more  
than the appraised value thereof.  
I see no chance to sell said  
Real Estate for any higher or  
better price and I ask the  
court to approve said sale.

James D. Smith Guardian  
Subscribed and sworn to on this  
the first day of October 1895.

David Hadley, Clerk

22

Land Sale 1821.

Estate of  
Temperance Ann  
McCaliment, a  
person of Un-  
sound mind.

Report of Land  
Sale

FILED

OCT 1 1895

David Badley  
CLERK