

**Civil Case: Hannah Catterlin vs Emma Bodyfelt, et al. - partition**

Name in Record	Reason for Being in Record	Date of Record
Hannah Cotterlin	Plaintiff - petition for partition	June 1, 1855
Emma I. Bodyfelt	Defendant	
Daniel Bodyfelt	Defendant	
Clarissa Mathewson	Defendant	
Elijah Mathewson	Defendant	
Joseph Cotterlin, et al	Defendants	
William G. Spencer	Oath that Daniel Bodyfelt lives in California for the last 3 years	
William G. Spencer	Daniel Bodyfelt cannot be summoned, but wife lives in county	
David Studabaker	Guardian ad litem for minor children	No date
Solomon Catterlin	Minor child	
George Catterlin	Minor child	
Hannah Catterlin	Minor child	
John Catterlin	Minor child	
Louisa Catterlin	Minor child	
Emma J. Bodyfelt	Summoned to answer to complaint for partition	July 17, 1855
Clarissa Mathewson	Summoned to answer to complaint for partition	
Elijah Mathewson	Summoned to answer to complaint for partition	
Joseph Catterline	Summoned to answer to complaint for partition	
William Catterline	Summoned to answer to complaint for partition	
Caleb McMaken	Summoned to answer to complaint for partition	
Mary McMaken	Summoned to answer to complaint for partition	
George Catterline	Summoned to answer to complaint for partition	
Solomon Catterlin	Summoned to answer to complaint for partition	
Hannah Catterline	Summoned to answer to complaint for partition	
John Catterline	Summoned to answer to complaint for partition	
Louisa Catterline	Summoned to answer to complaint for partition	
S. S. Mickle	Clerk	
Hannah Catterline	Widow of John Catterline; entitled to 1/3 of land	Aug. Term 1855
John Catterline	Died Jan. 27, 1854 seized of land;	
Emma J. Bodyfelt	Daughter & heir	
Daniel Bodyfelt	Husband of Emma (Catterlin) & heir	
Clarissa Mathewson	Daughter & heir	
Elijah Mathewson	Husband of Clarissa (Catterlin) & heir	
Joseph Catterlin	Son & heir	
William Catterlin	Son & heir	
Mary McMaken	Daughter & heir	
Caleb McMaken	Husband of Mary (Catterlin) & heir	
George Catterlin	Minor Son & heir	
Solomon Catterlin	Minor Son & heir	
Hannah Catterlin	Minor Daughter & heir	
John Catterlin	Minor Son & heir	
Louisa Catterlin	Minor Daughter & heir	
W. G. Spencer	Attorney for Hannah Catterlin	
James Simcoke	Publish notice of partition in paper	Aug. 6, 1855
S. S. Mickle	Clerk	
Phillamon Collins	Commissioner; set-off land of Hannah Catterlin	Aug. 7, 1855
Ebenezer Yoder	Commissioner; set-off land of Hannah Catterlin	
Esaias Dailey	Commissioner; set-off land of Hannah Catterlin	

Box 13 Roll No 56 (19)

Hannah Caterline

W Partition

Emma Bodysfelt

Clarissa Mathewson

Joseph Caterline

William Caterline

Mary McMaKen

George Caterline

Solomon Caterline

Hannah Caterline

John Caterline

Louisa Caterline

Box 13.

Notice.

In the Court of  
Adams County,  
Indiana, August term 1855.

Hannah Catterlin

vs.  
Emma J. Boddyfelt  
Daniel Boddyfelt  
Charles Mathewson  
Elizabeth Mathewson  
Joseph Catterlin et al.

Plaintiff in Error vs. Defendants.  
The undersigned, S. S. Mickel, Clerk of the Court, do hereby certify that the within and last named defendant, Emma J. Boddyfelt, is not a resident of the State of Indiana.

Therefore said said defendant is not entitled to the benefit of the writ of Habeas Corpus, and unless she appear in said Court on the first day of the next term, to wit, the 1st day of September, 1855, and answer or do otherwise, she will be held in default.

S. S. MICKEL

Clerk

State of Indiana ss  
Adams County ss

Be it remembered that on this the 6<sup>th</sup> day of Aug 1855  
personally appeared before the undersigned S. S. Mickel  
of lawful age who being sworn according to law, says  
that the advertisement hereto annexed was published in the  
Adams County Democrat, a weekly newspaper published in  
said County, for three weeks in succession and that said ad-  
vice was taken from said paper of July 5<sup>th</sup> 1855  
and further saith not. Witness S. S. Mickel

sworn to and subscribed August 6<sup>th</sup> 1855  
S. S. Mickel

proof 25  
\$3.05

State of Indiana ss  
Adams County ss  
Adams County Court term the  
August term A.D. 1855

Hannah Catterlin

vs.

Emma J. Boddyfelt  
Daniel Boddyfelt  
Charles Mathewson  
Elizabeth Mathewson  
Joseph Catterlin et al.

Petition for Partition

William B. Spencer being duly  
sworn upon his oath says that Daniel Boddyfelt  
is not within the State of Indiana and has not  
been for the last three years, that he is in the State  
of California, and beyond the reach of the process  
of this Court so that a Summons cannot be  
served upon him, that his wife remains in  
the County, all of which is true as this affiant  
is informed and believes. William B. Spencer

Subscribed and sworn to this 12<sup>th</sup> day of August  
S. S. Mickel  
Clerk

To the Honorable judges of the Court of Common  
Pleas of Adams County

As the undersigned, Commissioners, named in  
the within writ hereto annexed after being duly  
sworn, and after viewing and examining the premises,  
in said writ described, do assign to the said Hannah Fittler  
in sovereignty in fee simply the following described tract as part  
of the land described in said writ to wit. Commencing  
twenty rods north of the center of section twenty eight in  
township twenty seven north of Range fifteen East, thence  
East eighty eight rods and five links (88.65) thence South  
eighty six rods to the Saint Mary river thence down the  
meandering of said river to the section line on the  
North side of said section, thence west on the section  
line to the place where the quarter post is or ought to be  
thence South one hundred and forty rods (140) to the  
place of beginning estimated to contain twenty  
one acres and forty three hundredths, which assigned  
us being to be one third in value of the premises set  
forth in said writ.

Witness our hands and seals this seventh  
day of August A D 1835

Philmore & Collier

Ebenezer A. Jordan

Esaias D. Taylor

Commissioners

State of Indiana  
Adams County

Hannah Fittler

Emma & Bodwell

Petition for Partition

Comes now David Studabaker  
ad litem for Adam Fittler, George Fittler, Hannah  
Fittler, John Fittler and Louisa Fittler  
and for answer says that he is unacquainted  
with the fact set forth in said petition, and being  
proof of the same and suggest to the Court that  
they are minors of tender years and prop  
the Court to protect their interest

David Studabaker

Guardian ad litem

The State of Indiana Adams County

To the Sheriff of Adams County

You are Commanded to Summon, Emma Bodyselt,  
Clarissa Mathewson, Elvah Mathewson, Joseph Catterline,  
William Catterline, <sup>boldy M. Mathewson</sup> Mary M. Mathewson, George Catterline,  
Solomon Catterline, Hama Catterline, John Catterline,  
and Louisa Catterline  
To appear in the Court of Common Pleas on the first  
day of the next term thereof to answer the Complaint  
of Hama Catterline, in a petition for partition, pending  
in Said Court, And of this Summons make due return

Witness The Clerk and Seal  
of Said Court this 17<sup>th</sup> day of  
July 1835. S. S. Mickle  
Clerk



State of Indiana  
Adams County 1855

Court of Common Pleas  
August Term 1855

To the Honorable judges of the Court of  
Common Pleas,

The petition of Hannah Catterlin widow of  
John Catterlin deceased, would respectfully show, that  
John Catterlin departed this life on the twenty seventh day  
of January A D 1854, and that he died seized in fee simple  
of the following described land in Adams County and  
State of Indiana, to wit: The North half of the South East  
quarter of Section twenty Eight (28), and the North East  
fraction of Section twenty Eight (28) in Township twenty  
Seven (27), North of Range fifteen (15) East Containing  
two hundred  $\frac{5}{16}$  acres. Leaving the following children  
as his heirs at law to wit Emma J. Boddyfelt, Clarissa  
Matheson, Joseph Catterlin, William Catterlin, Mary  
A. Haken, George Catterlin, Solomon Catterlin, Hannah  
Catterlin, John Catterlin, and Louisa Catterlin  
who are all of full age except the said George, Solomon  
Hannah John and Louisa Catterlin who are minors  
and who are tenants in Common with your petitioner  
and that they are entitled to two thirds in value of said  
land above described.

And your petitioner would further represent  
to the Court that as the widow of said decedent is  
entitled to the undivided one third in value of the land  
above described of which the decedent died seized  
free from all demand of Creditors, and she would further  
represent that since the death of her said husband she  
has placed valuable improvements upon said land  
and on the next part of the same, by placing a dwelling

house & more of the value of three hundred dollars  
which improvement was placed thereon with the money  
of your petitioner which she prays the Court that she  
may be allowed for the same and that said improvement  
may not be taken into consideration in the partition  
of said land.

And your petitioner being desirous of procuring a  
partition of the land above described, and having her part  
set off and assigned to her by metes and bounds separate  
from the forest that Daniel Boddyfelt Emma J Boddyfelt  
Elizab Mathewson, Harrietta Mathewson Joseph Catterlin  
William Catterlin, Caleb M. McKen, Mary M. McKen  
George Catterlin Solomon Catterlin Hannah Catterlin  
John Catterlin and Louisa Catterlin may be made defen-  
dants to this petition, and that upon the hearing of the  
same appoint three disinterested resident freeholders  
of the County to make partition of the land described  
as aforesaid setting forth to your petitioner the undivided  
one third in value in addition to the improvement placed  
thereon by me off of the west end of said land so as to  
include the dwelling house built by me as aforesaid, for  
my share of the land above described as the widow  
of said deceased & your petitioner in duty bound  
will ever pray &c.

Hannah Catterlin  
By W. Spencer her atty