

Civil Case: Constant & Christian Ehle vs Leonard Clouse et al.

Name in Record	Reason for Being in Record	Date of Record
Constant Ehle	Plaintiff	August 1857
Leonard Clouse, et al.	Defendants	
Wellington Stuart	Report of defendants who are non-residents of Indiana	
Leonard Clouse	Is non-resident of state of Indiana	
Mary Clouse	Is non-resident of state of Indiana	
George Barnhart	Is non-resident of state of Indiana	
Martin Barnhart	Is non-resident of state of Indiana	
James Simcoke	Clerk	
Constant Ehle	Plaintiff - filed petition for partition	Nov. Term 1857
Christian Ehle	Plaintiff	
Leonard Clouse	Defendant	
Mary Clouse	Defendant; On Sept. 1, 1841, was wife of Valentine Barnhart	
Mary Clouse	Defendant; widow of Valentine Barnhart; now wife of Leonard Clouse	
Wellington Stuart	Defendant	
Sarah Stuart	Defendant; wife of Wellington Stuart	
Eli Elzey	Defendant	
Mary Elzey	Defendant; wife of Eli Elzey	
John Turner	Defendant	
Elizabeth Turner	Defendant; wife of John Turner	
Jesse Reidelburger	Defendant	
Lucinda Reidelburger	Defendant; wife of Jesse Reidelburger	
John Barnhart	Defendant; son of Valentine Barnhart & now Mary Clouse	
Malinda Wall	Defendant; dau of Valentine Barnhart & now Mary Clouse	
Alley Wall	Defendant; dau of Valentine Barnhart & now Mary Clouse	
George Barnhart	Defendant; son of Valentine Barnhart & now Mary Clouse	
Martin Barnhart	Defendant; son of Valentine Barnhart & now Mary Clouse	
Josephine Barnhart	Defendant; dau of Valentine Barnhart & now Mary Clouse	
Constant & Christian Ehle	Complaint that all were seized in fee simple of same 80 acres	
Mary Clouse	Conveyed her interest in said 80 acres to Wellington Stuart	
Mary Elzey	Conveyed her interest in said 80 acres to Wellington Stuart	
Elizabeth Turner	Conveyed her interest in said 80 acres to Wellington Stuart	
Lucinda Reidelburger	Conveyed her interest in said 80 acres to Wellington Stuart	
John Barnhart	Conveyed his interest in said 80 acres to Wellington Stuart	
Wellington & Sarah Stuart	Conveyed all their interest in said land to Alexander Stuart	
Alexander Stuart	Conveyed all their interest in said land to Christian & Constant Ehle	
Philip Barnhart	Has died since conveyance of land to Christian & Constant Ehle	
Philip Barnhart	Left his mother and siblings as heirs to his property	
D. Studabaker	Attorney for plaintiff	
James B. Simcoke	Oath of publishing "Notice to Non-Residents" in newspaper	Dec. 25, 1857
David Studabaker	Master Commissioner	
Wellington Stuart	Of Randolph County, IN; Summoned to answer to complaint to partition	April 8, 1858
Sarah Stuart	Of Randolph County, IN; Summoned to answer to complaint to partition	
Eli Elzey	Of Randolph County, IN; Summoned to answer to complaint to partition	
Mary Elzey	Of Randolph County, IN; Summoned to answer to complaint to partition	
John Turner	Of Randolph County, IN; Summoned to answer to complaint to partition	
Elizabeth Turner	Of Randolph County, IN; Summoned to answer to complaint to partition	
Jesse Reidelburger	Of Randolph County, IN; Summoned to answer to complaint to partition	
Lucinda Reidelburger	Of Randolph County, IN; Summoned to answer to complaint to partition	
John Barnhart	Of Randolph County, IN; Summoned to answer to complaint to partition	
Malinda Barnhart	Of Randolph County, IN; Summoned to answer to complaint to partition	
Josephine Barnhart	Of Randolph County, IN; Summoned to answer to complaint to partition	
James B. Simcoke	Clerk	
William G. Spencer	Guardian ad litem for minor defendants; finds no objection to partition	May Term 1858
George Barnhart	Minor defendant	
Martin Barnhart	Minor defendant	
Malinda Wall	Minor defendant	
Josephine Barnhart	Minor defendant	

O. T. Hart	Oath that land cannot be partitioned without injury to parties	May 1858
John Crawford	Oath that land cannot be partitioned without injury to parties	
John McConnel	Oath that land cannot be partitioned without injury to parties	
James B. Simcoke	Clerk	
Constant & Christian Ehle	Asked court to appoint commissioner to sell land	May 3, 1858
David Studabaker	Appointed commissioner to sell land	
O. T. Hart	Appointed to make partition of land	May 8, 1858
John Crawford	Appointed to make partition of land	
John McConnel	Appointed to make partition of land	
James B. Simcoke	Clerk	
O. T. Hart	Oath to honestly make partition	
John Crawford	Oath to honestly make partition	
John McConnel	Oath to honestly make partition	
James B. Simcoke	Clerk	
David Studabaker	Bound to state to sell real estate	May 10, 1858
John McConnel	Secured David Studabaker's bond to state	
David Showers	Secured David Studabaker's bond to state	
William Diehl, Sr.	Oath of posting notices of sale of land in county	June 4, 1858
David Studabaker	Master Commissioner	
David Studabaker	Oath of posting notices of sale of land in county	June 6, 1858
John Crawford	Oath of honest appraisal of land	June 25, 1858
John McConnel	Oath of honest appraisal of land	
David Studabaker	Master Commissioner	
H. L. Phillips	Oath of publishing in newspaper	June 26, 1858
W. G. Spencer	Master Commissioner	
David Studabaker	Sold said land to Constant Ehle	June 26, 1858
Constant Ehle	Purchased said land at public sale	
James B. Simcoke	Receipt for clerk's costs	June 28, 1858
Phillip Spencer	Received payment for printing costs	June 28, 1858
James B. Simcoke	Clerk acknowledged sale of land	Aug. 2, 1858
David Studabaker	Commissioner appointed to sell land; final settlement	April 23, 1859
Martin Barnhart	Received distribution from sale of land	
George Barnhart	Received distribution from sale of land	
Josephine Barnhart	Received distribution from sale of land	
Malinda Wall	Received distribution from sale of land	
Mary Clouse	Received distribution from sale of land	
Sarah Stuart	Received distribution from sale of land	
Mary Elzey	Received distribution from sale of land	
Elizabeth Turner	Received distribution from sale of land	
Lucinda Reidlesberger	Received distribution from sale of land	
John Barnhart	Received distribution from sale of land	
James B. Simcoke	Clerk	
Constant Ehle	Received allowance for improvements made on property before sale	April 23, 1859
David Studabaker	Paid Constant Ehle for improvements made on property before sale	
Constant Ehle	Receipt for distribution allowance from sale of land	April 23, 1859
David Studabaker	Paid Constant Ehle for distribution from sale of land	
James B. Simcoke	Clerk; Receipt for payment of clerking costs	April 23, 1859
David Studabaker	Reports that Constant Ehle has paid in full for land; requests deed	April 26, 1859

Roll No 51

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Constant Ehle
Christian Ehle

is
Leonard Clouse

Mary Clouse

Wellington Stuart

Josiah Stuart

Eli Eley

Mary Eley

John Turner

Elizabeth Turner

Jesse Rudliburger

Malinda Wall

Alley Wall

John Barnhart

George Barnhart

Martin Barnhart

Josephine Barnhart

1857

State of Indiana) In the Court of Common
Adams county) Pleas of Adams county
November Term 1841.

Constant Ehle &
Christian Ehle

vs

Leonora Clouse Mary Clouse
Wellington Stuart Sarah Stuart
Eli Elzey Mary Elzey John
Turner Elizabeth Turner Jesse
Ridealberger Lucia Ridealberger
John Barnhart ^{William Wall & Alley wall} ~~Lucinda Barnhart~~
George Barnhart Martin Barnhart
Josephine Barnhart

Constant Ehle, & Christian

Ehle, Complain of Leonora Clouse
Mary Clouse, Wellington Stuart
Sarah Stuart Eli Elzey Mary
Elzey John Turner Elizabeth Turner
Jesse Ridealberger Lucia Rideal-
berger John Barnhart ^{William Wall} ~~Lucinda~~
^{& Alley wall} ~~Barnhart~~, George Barnhart Martin
Barnhart ~~Barnhart~~ Josephine
Barnhart defendants and says
that on the 1st day of September 1841
the said Mary Clouse then intermar-
ried with one, volentine Barnhart but

now intermarried with the said Sarah
Clouse and Sarah Stuart intermarried
with Wellington Stuart Mary Elsey
intermarried with Eli Elsey Elizabeth Turner
intermarried with John Turner Lucinda
Reidberger intermarried Jesse
Reidberger John Barnhart ^{Malinda}
~~Reidberger~~ & George Barnhart
Martin Barnhart Josephine
Barnhart ^{Philip Barnhart} who are the sons &
daughters of the said Mary Clouse
by her said marriage with the
said Volentine Barnhart were
seized in fee simply as tenants
in common of the following
described Real Estate in Adams
county & to wit: The west half
of the North West quarter of
Section twenty six (26) in Township
Twenty seven (27) North Range Thirteen
East in Adams county Tharanda
containing eight acres more
or less and that afterwards
the said Mary Clouse Mary
Elsey Elizabeth Turner Lucinda
Reidberger John Barnhart conveyed
their interest in said land to
Wellington Stuart and the

Wellington and the said Sarah
by Deed conveyed all their
interest to one Alexander
Stuart and the said Alexander
conveyed by Deed to the plaintiff
all the interest ~~the~~ ^{he} ~~had~~ in
said Real Estate and your
petitioner further shows that
that the said Philip Barnhart
has since deceased ^{intestate} leaving
the aforesaid mother Brothers
and sisters his heirs at law
and your petitioners further show
that they own six eighths of
said Real Estate and that
the said ^{Malinda} ~~Lucinda~~ George
Martin & Josephine each own
one tenth of said Real Estate
and that the said Mary Clouse
owns one twenty second part
and that each of the others said
defendant own the $\frac{1}{10}$ of $\frac{1}{2}$ of
 $\frac{1}{10}$ of said Real Estate and that
that the plaintiff and said affor-
said own the same as tenants
in common and your petitioners
further show that they have paid
tax on said Real Estate while
so held amounting to \$10.00 when

they pray may be taken account
and that they have done work
on said Real Estate amounting
fifty dollars in the way of
improvement which they pray
may be taken into account
you that your petitioners may be
allowed for the same, and the
Plaintiffs ask that partition be
made of said Real Estate between
the said Plaintiff and the said
defendants by setting off to each
the share and share to which each
is entitled in severality and
grat to your petitioners such other &
further relief in the premises as may
appear just &c.

I Shunabur

Attys for Plaintiffs

Christian Ehle
Constant Ehle
vs

Leonard Clause et al

In the Court of
Common Pleas of
Adams County

May Term 1859.

I David Straubacher
Commissioner appointed by the
Court of Common Pleas of Adams County
to make Sale of the Real Estate ordered
to be sold in the above entitled cause
make the following final settlement
report in said matter as such commissioner

I am chargeable for sale of said Real
Estate as reported

\$307.00

I am chargeable with interest at 6% 11.00

Total amount

311.00

I am entitled to credit for my
fee as Commissioner in making
said sale

17.00

For costs Paid clerk

25.00

For costs Paid clerk in full

10.00

For cost of advertising notice of sale

4.00

56.00

Amount for distribution - 254.90

I am entitled to credit for
amount Paid Plaintiffs for improvements
as ordered by the Court

66.00

I am entitled to credit for amount

for their distributive shares $\frac{1}{11}$ of
 Amount Paid to him
 Amount yet to pay to him
 Which sum belongs to the him as
 follows to wit

To Martin Barnhart	106.26
To George Barnhart	166.26
To Josephine Barnhart	88.64
Malinaa Wall	
Mary Blouse	18.58
Sarah Stewart	18.58
Mary Elzey	18.58
Elizabeth Turner	8.86
Lucinda Riedelberger	88 $\frac{1}{2}$
John Barnhart	88 $\frac{1}{2}$
	88 $\frac{1}{2}$

State of Indiana
 Adams County? Personally appeared before
 me James B. Simcoe Clerk of the Adams
 Circuit David Stuckabaker Commissioner
 appointed by Court of Common Pleas
 of Adams County who being duly
 sworn says that the foregoing account
 and final settlement is just and true giving
 the whole amount with which I am charged
 and the credits to which I am entitled
 David Stuckabaker
 Commissioner
 Subscribed and sworn to before me this 23rd day
 of April A.D. 1859. James B. Simcoe
 Clerk

of one half of one eleventh part in value thereof for
her share thereof. And by setting off and assigning
to the said Elizabeth Warner one tenth of one
half of one eleventh part in value of said land
for her share thereof. And by setting off and
assigning to the said Lucinda Peedleburger
one tenth of one half of one eleventh part
in value thereof for her share, and by setting off and
assigning to John Burnhart one tenth of one half
of one eleventh part in value of said land for his share
thereof. And by setting off and assigning to
Martin Burnhart one tenth part in value of
said land for his share thereof, And by setting
off and assigning to George Burnhart one tenth
part in value of said land for his share thereof.
And by setting off and assigning to ^{Joseph} ~~John~~ ^{John} ~~John~~
Burnhart, one tenth part in value of said land
for his share thereof. And by setting off and
assigning to ^{Mary} ~~John~~ ^{Mary} ~~John~~ Burnhart one tenth part
in value thereof for her share thereof, all of which
shall be kept the said John and Christian Dils. if the same can be partitioned
without damage to the Owners thereof, and Report
your Proceeding to Court of Common Pleas
at the Present term thereof. And if the same
cannot be divided without damage to the valuation
of said Real Estate you will report that fact, and this
shall be your sufficient warrant for so doing.

In witness whereof I have hereunto

set my hand and seal of said Court.

At Decatur on the day of May A.D. 1858.
James B. Smith
Clerk

State of Indiana }
County of }
Adams, County }

Personally appeared before me
O. J. Host John Crawford & John McConel,
the Commissioners, named in the within Warrant
of Partition, and on their oaths say that they will
honestly and impartially discharge their duty
as Commissioners in making Partition of
the lands mentioned in the within Warrant.
of Partition according to law, with best
of their ability.

O. J. Host
John Crawford
John McConel

Subscribed and Sworn to before me this
5th day of May 1858.