

Recd of David Howes Commissioner
appointed to sell land in the case of
Everhart and ~~Essex~~ the sum of three
hundred and forty six dollars and
twenty nine cents the same being
 $\frac{5}{11}$ th of the sale of the E. 1/2 of the N. E. 1/4
of Sec No 5 T. 26 N of R 14 East containing
80 acres July 7th 1862 Daniel Essex

State of Indiana } in the Court of Common
Adams County } Pleas May term 1862

David Essicks }
Es } Comes now Alexander
Ellen Everhart } Smith J. R. Miller and
Bazyle Everhart } Worthington Sluts

Commissioners heretofore
appointed by said Court to make partition
in the premises or lands set forth in
the warrant issued by said Court and to us
delivered as said Commissioners to make parti-
on as therein directed and report to the Court
that they have duly qualified in this behalf which
said oath is indorsed on the back of said report the
warrant which is herewith returned and would
further report that they have examined said real
estate and after due deliberation would submit
to the Court that said premises are indivisible
that said Real Estate cannot be divided without
material injury to the same or the value thereof
and damage to the owners

Alexander Smith (Seal)
J. R. Miller (Seal)
Worthington Sluts (Seal)

State of Indiana

Deans County

personally appeared before me
James B. Simcoe Clerk of
the Court of Common Pleas of said County
Alexander Smith J. R. Miller and Worthington
Sluts Commissioners who made the foregoing
report and in open Court acknowledge the execution
of the foregoing report to be their voluntary act and
deed for the uses and purposes therein mentioned

witness my hand and seal this 12th day of May
1862

James B. Simcoe Clerk
11

David Essix }
vs }
Elihu Everhart }
Bazel Everhart }

In the Court of Common
Pleas Sept term 1862

Comes now J. Howes
Commissioner appointed by said Court
and reports to the Court that pursuant to
an order of this Court to sell land in this
case said order made at the last term of
this Court would report that he has made
Sale of the said premises to David Essix
for the Sum of five hundred and thirty three
dollars and sixty seven cents being
more than two thirds of the appraisement
and that the Conditions of the Sale and order
of the Court have been fully complied
with would therefore ask the Court to
confirm the Sale. and continue the
Cause

State of Indiana }
Adams County }

J. Howes } Com

Comes now J. Howes
Commissioner in the above Cause
and after being duly sworn says the
foregoing report is true as he verily
believes

Subscribed and Sworn to before me
this 10th day of Sept 1862

James B. Finckes Clerk

State of Indiana }
Adams County }

in the Court of Common
Pleas of said County
Mary Yearn 1862

David Essick }
vs }
Elinor Everhart }
Bazzel Everhart }

I Nicholas Wagoner and
Thomas Hendricks guardians

of the persons and Estate of said Elinor
Everhart and Bazzel Everhart the dependant above
named in this proceedings do hereby give
our consent as such Guardians and the
content of our wards. that this proceedings
shall proceed by mutual consent the same
as though process had been regularly served
and we each hereby agree to waive all process
in this action and proceed the same as though
regular process had been served

Attest }
David Shew }
Attest }
David Essick }

Thomas ^{his} Hendricks } guardian
mark } guardian
Nicholas Wagoner } guardian

I know all men that the David
Showers & W. Adelberger are held
and firmly bound unto the
State of Indiana in the penal
sum of sixteen hundred dollars
conditioned that the said David
Showers will discharge his duty
according to law as Commissioner
appointed by the Court of Common
Pleas of Adams County to make
sale of Real Estate ordered to
be sold in the case of David Edick
vs. Allen Overhart & Pazel Overhart.
This the 7th day of July A. D. 1869.

David Showers
W. Adelberger