

State of Indiana } In the Court of Common Pleas of Adams
Adams County, County - November Term A.D. 1855

- 1 John Peeple Catharine Peeple
2 Augustus Smith Nancy Smith Petition
3 Mary Peeple James B Peeple
4-5 Columbia Harrison Susan Smith
5-6 Martha Smith Sarah Smith
7-8 Jane Smith Isaac Smith and
9 Joseph Smith

Your petitioners John Peeple
Catharine Peeple, Augustus Smith and Nancy
Smith complain of Mary Peeple, James
B Peeple, Columbia Harrison Susan Smith
Martha Smith Sarah Smith Jane Smith
Isaac Smith and Joseph Smith defendants
to this petition and says that heretofore to wit
on the day of in the year AD 1848
Zachariah Smith died seized in fee
simple of the following real Estate to wit
Fractional Lot Number 1 and fractional Lot
Number 5 in Section twelve (12) in Township
Number twenty seven (27) North of Range Number
fourteen (14) East estimated to contain $11\frac{53}{100}$ acres
and the East half South East quarter of Section six
and the West half North West quarter of Section
seven (7) and West half South West quarter of
Section five all in Township number twenty seven

North of Range Number fifty five of East latitude
to contain two hundred and forty acres and in
all containing three hundred and fifty one
acres and fifty three and one hundredths and four
petitions further show that said Dechariah
Smith died intestate leaving as his heirs
and legal representatives in law, Susan
Smith widow of said decedent was entitled
to the right of dower in the aforesaid premises
Mary Triple daughter of said decedent and
who is intermarried with James B. Triple Master
Smith Sarah Smith Jane Smith daughters of
said decedent and who are minors and
Sarah Smith and Joseph Smith sons of said
decedent and who are minors and Catharine
Triple daughter of said decedent who is
intermarried with John Triple who are two
of your petitioners and Nancy Smith intermar-
ried with Augustus Smith who are two of your
petitioners and your petitioners show that the
said Susan Smith widow of said decedent
has heretofore had certain preexisting
rights in the following described land of
the aforesaid real estate was left off to
her as her dower in the aforesaid premises
to wit: The north west quarter of the north west quarter
of Section seven (7) Township Twenty seven (27) Range
fifty five (55) East containing forty acres also the

Exact or parcel of land to wit commencing on
the bank of the St. Marys River in the North West
quarter of Section twelve Township Twenty seven
North Range Fourier east ~~south~~ ^{one mile} from the
the North East quarter of said Section twelve
the River thence east on said line to the
centre of the North East quarter of said
section thence south to the South side of the
North East quarter of said Section twelve
thence west to the bank of the River St
Marys River town said river with the
meanderings thereof to the place of beginning
Estimated to contain Forty acres more or less
and your petitioners would further show
that each of the said heirs at law if
Dechariah Smith decedent are entitled
to one equal eight part of the aforesaid
real estate subject to the dower of the widow
as left forth above except Mary Triple
and James B. Triple who have executed by and
between themselves an agreement by and
giving their eight acre title in said real estate
except the part left apart to the said widow
as aforesaid and your petitioners say that said
Columbus Garrison owns in fee one eighth of the
above described land except that left apart to
said Susan Smith widow and that the said
Mary Triple owns one eighth of the said
land left apart to the said Susan Smith as

aforsaid and subject to the power aforesaid and
your petitioners say that your petitioners are
tenants in common of the aforesaid premises
and ask your honor that partition be
made of the aforesaid premises among the
said heirs at law of the said decedent and
in order to effect and make said partition
that your Honor appoint three commissioners
to make said partition among said heirs
at law, and grant to your petitioners such other
and further and general relief as your
petitioners Honor may deem just and proper
and your petitioners will ever pray

Davida Stranachker

Atty for Petitioners

Be it Remembered that We Philmon & Collins
Levi H. Rose and Benjamin Middleton were
missioners appointed by the Court of Common
Pleas of Adams County to make partition
of the Real Estate of Zachariah Smith decedent
between the heirs at law of said decedent
and according to the warrant of partition to
be directed from said Court which said
warrant is herewith returned and made a part
of this report to respectfully report to the
said Court of Common Pleas that We have
made partition of said Real Estate in accordance
with said warrant and do set off and assign
to Catharine Jeppe in severally the North East
quarter of the South East quarter of Section No. Six
(6) in Township No. twenty seven (27) North in
Range No. fifteen (15) east.

And to Nancy Smith We do set off and
assign in severally the North West quarter of the
South West quarter of Section No. five (5) in Township
No. twenty seven (27) North in Range No. Fifteen (15)
east

And to Martha Smith We do set off and
assign in severally the South East quarter of the
South East quarter of Section No. Six (6) in Township
No. Twenty seven (27) North in Range No. Fifteen (15)
east

And to Sarah Smith We do set off and assign
in severally the South West quarter of the
South West quarter of Section No. Five (5) in Township
No. twenty seven (27) North in Range
No. Fifteen (15) east

And to Jane Smith We do set off and
assign in severally Sixty acres more or less

bounded and described as follows (Locit.) beginning at the North East corner of the South half of Section No. Twenty-one in Township No. Twenty-four Range No. fifteen (15) North in Range No. fourteen (14) East thence South Sixty Rods thence West to the Saint Mary's River thence down said River with the meanderings thereof to a point on said River where a dividing line running west from the place of beginning would strike the River thence East to the place of beginning.

And to Joseph Smith We do set off and assign in Society Forty acres bounded and described as follows beginning Twenty Rods South of Range North West corner of the North West quarter of Section No. Seven (7) in Township No. Twenty-four (14) North in Range No. fifteen East thence South Sixty Rods thence East Eighty Rods thence North Sixty Rods thence West Eighty Rods to the place of beginning.

And to Joseph Smith We do set off and assign in Society fifty four and one acre and fifty three hundredths more or less bounded and described as follows (Locit.) beginning Sixty Rods South of the North East corner of the South half of the North East quarter of Section No. Twenty-one in Township No. Twenty-four (14) North in Range No. Fourteen East thence West to the Saint Mary's River thence up said River with the meanderings thereof to where the section line on the east side of said Section Twenty-one strikes the same thence North on said line to the place of beginning.

And to Columbus Harrison We do set off and assign in Society Thirty acres off of the South end of the West half of the North West quarter of Section No. Seven in Township No. Twenty-four (14) North in Range No. Fifteen (15) East

and to Mary Lupte We do set off and assign in Society Ten acres off of the North end of the West

(West) half of the North West quarter of Section No. Seven (7) in Township No. Twenty-four (14) North in Range No. fifteen (15) East all of which we respectively submit in open court. Given under our hands and sealed this 5th day of February A.D. 1854

William N. Collins (Signature)
J. H. Ross (Signature)
R. F. McMillan (Signature) 31

503

People
by
Smith
in
Report of Commissioners

On Feb 6th 1856
James Baldwin
Clark
Bell Wm 37
page 233 234
Vol 5