

Civil Case: Isaac McLeod, et al vs Alexander & Richard Porter

Alexander Porter	Summoned to answer to Isaac McLeod, et al - petition for partition	Dec. 28, 1865
Richard Lee Porter	Summoned to answer to Isaac McLeod, et al - petition for partition	
John McConnel	Clerk	
A. J. Hill	Deputy	
Isaac R. McLeod	Plaintiff; husband of Sarah (Porter) McLeod	Jan. Term 1866
Sarah McLeod	Plaintiff; formerly Sarah Porter; dau of Frances Porter, deceased	
Margaret Porter	Plaintiff; widow of Frances Porter	
Alexander Porter	Defendant; son of Frances Porter, deceased	
Richard Lee Porter	Defendant; son of Frances Porter, deceased	
Frances Porter	Died Aug. 10, 1863, Adams County, seized of real estate	
William Porter	Son of Frances Porter, deceased	
Mary Isabelle Porter	Daughter of Frances Porter, deceased	
Isaac R. McLeod	Has purchased William & Mary Isabelle Porter's share of real estate	
Margaret Porter	Widow of Frances Porter, deceased is entitled to 1/3 land as dower	
Isaac McLeod	Requests partition of land	
David Studabaker	Attorney for plaintiffs	
James R. Bobo	Guardian of Alexander Porter	No date
James R. Bobo	Guardian of Richard Lee Porter	
A. T. Dailey	Commissioned to make partition	Jan. 10, 1866
Joseph R. Winans	Commissioned to make partition	
Drayton Ayers	Commissioned to make partition	
John McConnel	Clerk	
A. J. Hill	Deputy	
Amos Dailey	Oath to honestly make partition	Jan. 10, 1866
Joseph R. Winans	Oath to honestly make partition	
Drayton Ayers	Oath to honestly make partition	
John McConnel	Clerk	
Isaac R. McLeod, et al.	Plaintiffs	No date
Alexander Porter, et al.	Defendants	
Amos L. Daily	Commissioner appointed to make partition	
Joseph R. Winans	Commissioner appointed to make partition	
D. M. Ayers	Commissioner appointed to make partition	
Margret Porter	Had her portion of land set off by commissioners	
Isaac R. McLeod	Had his portion of land set off by commissioners	
Sarah McLeod	Had her portion of land set off by commissioners	
Richard L. Porter	Had his portion of land set off by commissioners	
Alexander Porter	Had his portion of land set off by commissioners	

15 Roll No 34 (19)

Isaac McLeod

Sarah McLeod

Margaret Porter

W. Portion

Alexander Porter

Richard Lee Porter

1866

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Box 15

Isaac R McLean et al
as
Alexander Foster et al } Report

Comes now
before I Judge Joseph R. Williams
& J. M. Ayers Commissioners
herefore appointed in this behalf
and Reports to the Court that after
being duly qualified which oath
is entered on the back of the
said Warrant of partition to us
directed in this behalf we proceed
to make said partition according
to the direction and Command to
us in said Warrant of partition
and we do sett off and assign in
severality to Margret Foster in fee
the said South East quarter of the North
East quarter of said Section number
(19) in Township twenty seven North
Range fifteen East in the said County
of Adams containing forty acres of
land more or less.

And we do sett off and assign
in severality to Isaac R McLean
The married two thirds of the East
half of the South West quarter of
Section number (19) in Township

County Survey (off North Range fifteen
miles in length - same County State
of Arizona

And be it left off and
arranged in accordance to Section
the North the Western one third
part of the East half of the South
East quarter of Section nineteen
in Township twenty seven North
Range fifteen East in the same
County of Arizona

And be it left off and
arranged in accordance to Section
of Peter and Abraham & Peter
the North East quarter of the South
East quarter of Section nineteen
in Township twenty seven North
Range fifteen East in the same
County of Arizona to be held as to whole in
Common

And further Resolution in
said said subject subject That
said Report and ask to be
reconsidered

And be it left off and
arranged in accordance to
Section of Peter and
Abraham & Peter

State of Indiana, In the Court of Common Pleas
Adams County of Adams County Indiana
Isaac R. McLeod
Sarah McLeod } Complainant for
Margaret Foster } Partition
vs
Alexander Foster
Richard Lee Foster }

Isaac R. McLeod, Sarah
McLeod and Margaret Foster plaintiffs in
this action Complain of Alexander Foster
and Richard Lee Foster defendant and
says that heretofore on the 10th day of August
A.D. 1863 at the said County of Adams Francis
Foster died intestate seized in fee simple of
the following described Real Estate to
wit: The South East quarter of the North East
quarter and the North West quarter of the South
East quarter and the East half of the South
West quarter all of Section number (19) in
Township twenty seven (27) North Range fif-
teen (15) East in the County of Adams in the
State of Indiana containing in all one
hundred and sixty acres of land be the same
more or less leaving as his only heirs at
law - Margaret Foster plaintiff his widow

and William Foster Mary Seabell Foster and
Alexander Foster and Richard Lee Foster and
Sarah Foster now intermarried with Isaac R.
McLeod his children. That the said Isaac R.
McLeod has purchased of William Foster
and Mary Seabell Foster their respective
Shares in said Real Estate as they inherited the
same from their fathers and received bills
of Conveyance therefor and the plaintiff
further shews that the said Margaret Foster
widow is seized in fee and entitled to the
one third part of said Real Estate and that
the said Isaac R. McLeod plaintiff is seized
in fee and entitled to the four fifteenth ($\frac{4}{15}$) parts
of said Real Estate in fee simple and that
the said Sarah McLeod Alexander Foster
and Richard Lee Foster are each seized in
fee simple and entitled to two fifteenth parts
of said Real Estate each and that the said
plaintiff and defendants hold the same as
tenants in common, and the plaintiff's
ask and demand that partition be made
of said Real Estate by setting off in severalty
to the said Isaac R. McLeod four fifteenth
of said Real Estate and to Sarah McLeod
two fifteenth parts of said Real Estate next

to and adjoining that that may be set
off to the said Isaac R. McLeod and to
Margaret Foster widows one third of said Real
Estate in severalty and to Alexander Foster
and Richard Lee Foster each two fifteenth
parts of said Real Estate in fee and in
severalty and that Commissioners be
appointed to make the partition and the
plaintiffs ask and demand that they may
have such other relief in the premises as
may appear just

David Audabaker
Atty for Plaintiff

State of Indiana
Adams County

In the Court of Com-
mon Pleas of Adams County

Isaac R McLeod

Sarah McLeod

Margaret Porter

v.s.

Alexander Porter

Richard Lee Porter

The State of Indiana to
A. T. Dailey, Draughter, Appx Joseph R Minors
Scribing:

Whereas heretofore to wit on the 10 day of
January 1866, in the said Court of Common
Pleas of Adams County, and on the third judicial
day of the January Term of said Court, in
said year the plaintiffs in the above cause
recovered an interlocutory judgment and decree
against the said defendants, in said Court
for the partition of the lands hereafter described
by which judgment, it was ordered and decreed
that partition be made of said land hereafter
described, by setting off in severalty to Margaret
Porter one third in value of said land; to Isaac
R McLeod four fifteenths in value of said land, and
to Sarah McLeod, Alexander Porter, Richard Lee

Portion each, two-fifteenth in value of said land, which is described as follows to wit:

The South East quarter of the north East quarter, and the North west quarter of the South East quarter, and the East half of the South west quarter, all of section number (19) in Township Twenty, south North Range fifteen (15) east in the county of Adams in the state of Indiana containing in all one hundred and sixty acres more or less.

And that you are each appointed by said Court to make said partition. You are therefore authorized, required and directed to make partition of the said land above described, setting off in severalty the respective shares of the said parties, as specified in the said order, if the same can be done without damage to the value of said land, and that you report your proceedings in the premises, to the Court at the next term thereof.

In Witness whereof I have hereunto subscribed my name and affixed the seal of said Court at Greentown Ind, this 10 day of January 1866
John McConnell Clerk
By A. J. Hill Deputy.

Samuel McConnell

25

Alexander Porter &c

Warren Spurgeon

Filed this 10th day of Jan 1866
John McConnell Clerk
Dist. of Indiana

State of Indiana

Adams County

3 We Amos Bailey Joseph
De Minors and Grayton Myers com-
missioners appointed by the Court of
Common Pleas of Adams County to
make partition of Real Estate do
swear that we will honestly im-
partially and faithfully discharge
our duty as such Commissioners
according to law and the best of our
ability to help one to and
A. J. Bailey
J. H. Minors
J. H. Myers

Subscribed and sworn before me this 10
day of Jan'y 1866 John McConnell Clerk

Isaac R. McLeod et al

v

} Answer

Alexander Porter et al

Comes now James R
Bobo Guararian additum to answer to
and for Alexander Porter and Richard Lee
Porter defendants and for answer to the
Plaintiffs complaint deny all the allegations
therein contained James R Bobo

Guararian Ad Litem

The State of Indiana,

TO THE SHERIFF OF ADAMS COUNTY, GREETING:

We command you to Summon Alexander Porter, Richard
Lee Porter

if they be found in your bailiwick, personally to appear before the Honorable
Judge of the Adams Common Pleas Court, on the second day of the next Term thereof, to
be holden at the Court House, in Decatur, on the 2^d Monday of January
1866, then and there to answer the complaint of Isaac R. McLeod, Sarah

McLeod & Margaret Porter, in a complaint for Partition of
land.

and of this Writ make due service and return.



Witness, John McConnell Clerk of said Court, and the
seal thereof hereto affixed, at the Court House in Decatur,
this 28th day of December 1865.

John McConnell Clerk.
By A. J. Hill Deputy.