

Peckinpugh 50-2859-19

---- H E A D I N G ----

AN ABSTRACT OF TITLE to the following described real estate
situate in Delaware County, Indiana, towit:

Lot numbered Nineteen (19)
in Beverly Heights, Section "A", an addition to
the Town of Yorktown, Indiana, a plat of which
is recorded in Plat Book 8 at page 22 of the
records of plats of Delaware County, Indiana.

No.3

United States of America

Original Entry

-To-

Dated Dec. 17, 1820

Heirs of Isaac Wobby

Original Entry Book

Conveys all the southwest quarter and southeast quarter of Section 14, Township 20 North of Range 9 East, containing 320 acres "reserved for the use of the heirs of Isaac Wobby"

No.4

United States of America

Certificate

-To-

Dated Nov. 22, 1849

Isaac Wobby

Recorded Oct. 29, 1850

Deed Record 11, page 387

The United States of America, To all Whom these presents shall come Greeting: Whereas by the seventh article of the Treaty concluded on the third day of October one thousand eight hundred and eighteen between the Commissioners on the part of the United States and the Delaware Nation of Indians, the United States agreed that there should be granted to Isaac Wobby one half Section of land with the stipulations that it should never be conveyed or transferred without the approbation of the President of the United States, and whereas, there has been deposited in the General Land Office a transcript embracing a report dated November tenth, one thousand eight hundred and forty-nine, from the office of Indiana affairs to the Secretary of the Interior with the Secretarys endorsement thereon on the thirteenth of November, one thousand eight hundred and forty-nine and the approval of the President dated November fourteenth one thousand eight hundred and forty-nine, in which report the south half of Section fourteen containing three hundred and twenty acres in Township twenty north of Range nine East in the District of Land subject to sale at Indianapolis, Indiana is recognized as the location of the said Isaac Wobby a reserve under said treaty and it is recommended that the Patent be issued to the said Reserve. Now know ye, that there is therefore granted by the United States unto the said Isaac Wobby and to his heirs the tract of land above described, to have and

to hold the said tract with the appurtenances unto the said Isaac Wobby and to his heirs and assigns forever but according to the terms of said Treaty never to be conveyed or transferred without the approbation of the President of the United States.

In Witness Whereof, I, Achariah Taylor, President of the United States have caused these letters to be made Patent and the seal of the General Land Office to be affixed. Given under my hand at the City of Washington the twenty-second day of November in the year of our Lord one thousand eight hundred and forty-nine and of the independence of the United States the seventy-fourth.

By the President, A. Taylor
Thos. Ewing, Jr. Sec'y

N. Sargery Recorder of the General Land Office.
R. Vol. 11, pages 26-27.

No.5

Heirs Amelia Baldwin, Dec'd
Heirs of Joseph Wobby

Power of Attorney to Sell

Dated July 17, 1850

-To-

Recorded Oct.29, 1850

Benjamin F. Moore

Deed Record 11, pages 389-390

Know all men by these presents, that we, Isaac Wobby, James Wobby and Silas Wobby, children and heirs at law of Joseph Wobby, deceased, Jerusha Dick, daughter of said Joseph Wobby, deceased, and also one of his heirs at law and Daniel Dick, her husband, Jene Baldwin, George Baldwin, and Mary Baldwin, by her guardian, John Baldwin, children and heirs at law of Amelia Baldwin, deceased, and John Baldwin, husband of said Amelia Baldwin, deceased, all of them resides in the County of Calmut and State of Wisconsin have made, constituted and by these presents do make constitute and appoint Benjamin F. Moore of Fondulac County in the State of Wisconsin with the approbation of the President of the United States our and each of our true and lawful attorney for us and each of us in our joint and several names to lease sell and convey with the approval aforesaid to the President of the United States and full and complete contracts, deeds and other lawful and proper instrument or instruments to make execute and seal and deliver of all and singular any lands and real estate lying and being

jointly and severally either in law or in equity either in whole or in part as heirs at law or otherwise of Isaac Wobby, deceased, and particularly of any and all such lands and tenements with the appurtenances as are described in a certain Patent of the United States of America given under the hand of the President of the United States at Washington twenty second day of November, one thousand eight hundred and forty-nine and issued to Isaac Wobby now deceased and which said lands and premises in the said patent are described as the south half of Section fourteen containing three hundred and twenty acres in Township twenty, North of Range nine East in the district of lands subject to sale at Indianapolis, Indiana, and we do further jointly and severally authorize and empower the said Benjamin P. Moore as our attorney with the approval of the President of the United States to cause sell and convey said last described land or any part or parcel thereof to any and all such person or persons and for such sum or sums of money as our said attorney shall think fit and proper and to make execute and deliver any lawful conveyance whatsoever of said premises with full covenants of seizing and of warranty and acknowledgment thereof for us and each of us to make of any and all such conveyance or conveyances so as to entitle them to be recorded. And we do further authorize and empower the said Benjamin F. Moore as our said attorney to make and receive any and all lawful indentures of mortgage for securing the purchase money or any part thereof or any part thereof or upon any part or parcel of the said lands or the whole thereof of any such bond or bonds promissory notes or other valuable paper or thing for said land or any part or parcel thereof as to him may seem fit and proper and generally to do any and all such thing or things as we jointly and severally might do in the premises. And we do further authorize and empower our said attorney to substitute in his place or stead with like power and authority as is hereby conferred upon him any such person or persons as may seem to him fit and proper. And we hereby do authorize and empower such substitute person or persons to do any and all such act or acts, thing or things as our said attorney is hereby authorized to do hereby ratifying and confirming whatsoever our said Attorney may lawfully do in the premises.

In Witness Whereof we have hereunto set our hands and seals at Manchester in the County of Calumet aforesaid this seventeenth day of July, one thousand eight hundred and fifty.

Isaac Wobby
his
Silas X Wobby
mark

Daniel Dick

Mary Baldwin by her guardian John Baldwin and John

Jane Baldwin
George Baldwin
her
Jerusha X Dick
mark

No. 30

Thomas J. Williamson

Complaint to Quiet Title

-vs-

Filed Dec. 9, 1899

Isaac Wobby, the unknown heirs of Isaac Wobby, deceased, Isaac Wobby Jr. the unknown heirs of Isaac Wobby Jr., deceased, James Wobby, the unknown heirs of James Wobby, deceased, Silas Wobby, the unknown heirs of Silas Wobby, deceased, Daniel Dick, the unknown heirs of Daniel Dick, deceased, Jerusha Dick, the unknown heirs of Jerusha Dick, deceased, Jane Baldwin, the unknown heirs of Jane Baldwin, deceased, George Baldwin, the unknown heirs of George Baldwin, deceased, Mary Baldwin, the unknown heirs of Mary Baldwin, deceased, John Baldwin, the unknown heirs of John Baldwin, deceased, Jacob Fodge, the unknown heirs of Jacob Fodge, deceased, Grace Fodge, the unknown heirs of Grace Fodge, deceased, Hiram Barrett, the unknown heirs of Hiram Barrett, deceased, Sarena Barrett, the unknown heirs of Sarena Barrett, deceased, Caleb Garrett, the unknown heirs of Caleb Garrett, deceased, Abigail Garrett, the unknown heirs of Abigail Garrett, deceased, the unknown heirs of John Fodge, deceased, David Fodge, the unknown heirs of David Fodge, deceased, Martha Jane Fodge, the unknown heirs of Martha Jane Fodge, deceased, James Williamson, the unknown heirs of James Williamson, deceased, Benjamin F. Moore, Atty in fact and the unknown grantees of Benjamin F. Moore Atty in fact, deceased,

Delaware Circuit Court

Cause No. 12032

Among the original papers in the above entitled cause appears the following Complaint to Quiet Title:

The plaintiff Thomas J. Williamson in the above entitled cause complains of the defendants and each of them and for cause of action says:

That he is the owner in fee and in possession of the following described real estate, situated in Delaware County in the State of Indiana, towit: Forty three and one half ($43\frac{1}{2}$) acres off of the east side of the southeast quarter ($SE\frac{1}{4}$) of Section fourteen (14) Township twenty (20) North, of Range nine (9) East.

That said plaintiff and his immediate grantors are now and have been for more than twenty years in the quiet, peaceable, open, notorious and undisputed possession of all of said real estate.

That each and all of said defendants are claiming an interest in said real estate adverse to the plaintiff's rights, which claim is without right and unfounded, and a cloud upon plaintiff's title.

That the defendants Isaac Wobby Jr. James Wobby Silas Wobby, Daniel Dick, Jerusha Dick, Jane Baldwin, George Baldwin, Mary Baldwin and John Baldwin, on the 17th day of July, 1850 executed and delivered to defendant Benjamin F. Moore Power of Attorney authorizing and directing him to sell the real estate herein and other real estate which said power of attorney was duly recorded October 29, 1850 in Deed Record 11 pages 389 and 390; that the deed executed by said Benjamin F. Moore was never recorded and has been lost or destroyed.

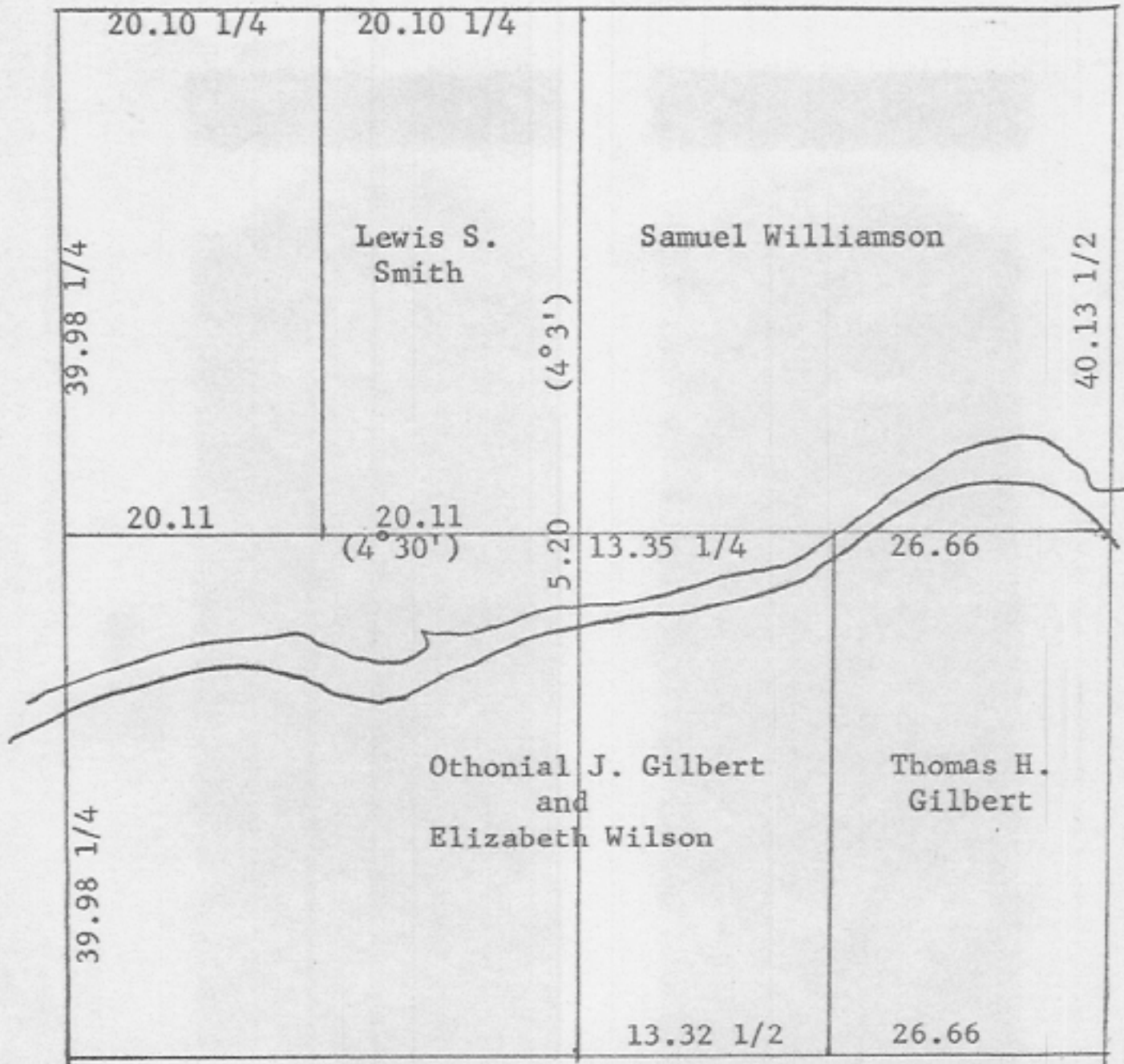
That one Goldsmith C. Gilbert obtained title to said real estate from some parties unknown and conveyed the same in 1832 as shown by deed record 22 page 514.

That all conveyances made by said heirs of Isaac Wobby deceased were never placed of record in Delaware County and have long since been lost or destroyed.

That defendants Jacob Fodge, Grace Fodge, Hiram Barrett, Sarena Barrett, Caleb Garrett, Abigail Garrett, David Fodge, Martha Jane Fodge, and James Williamson were grantors and grantees in deeds recorded in Deed records 14 page 199, 14 page 207 and 16 page 384 for part of said real estate but they and each and all of them never had any interest therein and the scrivener who executed said deeds committed an error in the description of said real estate.

Wherefore plaintiff asks that his title in and to all of said lands owned by him as aforesaid be quieted and forever set at rest in him, that any and all clouds thereon if any there are be removed and plaintiff decreed and adjudged to be, as he is, the sole owner in fee simple of all of said lands and that a commissioner be appointed to convey any and all interest of any and all of said defendants in and to said lands to plaintiff and for any and all other relief proper.

Roscoe C. Griffith
Atty for Plff.



Section 14, Township 20, North Range 9 East

April 19-21 & 22, 1870

Wm. Truitt, S. D. C.

Survey Record 1, page 74