

Family Group Sheet for Robert Wiley

Husband: Robert Wiley	
Birth:	1788; Nicholas Co., Kentucky
Death:	Oct 1844; Decatur Co., Indiana
Burial:	Kingston Cemetery, Fugit Township, Decatur Co., IN
Marriage:	01 Jan 1818 in Nicholas, Kentucky, USA; Nicholas Co., KY ^[1, 2, 3, 4]
Father:	John Wiley
Mother:	Isabella
Wife: Esther Hopkins ^[5, 6, 7, 8]	
Birth:	1795; Nicholas Co., Kentucky
Death:	Abt. 1855; Boone Co, IN
Father:	John Hopkins
Mother:	Catherine Collier
Children:	
1 M	<p>Name: John Robert Wiley</p> <p>Birth: 02 Nov 1818 in Nicholas, Kentucky, USA^[9, 10]</p> <p>Death: 28 Apr 1877 in Pulaski, Indiana, USA</p> <p>Marriage: 19 Dec 1844 in Decatur, Indiana, USA</p> <p>Spouse: Martha E. Montgomery</p>
2 F	<p>Name: Eliza M. Wiley</p> <p>Birth: 13 Sep 1820</p> <p>Death: 13 Jun 1840 in Decatur Co., Indiana^[11]</p>
3 M	<p>Name: Samuel W Wiley^[17, 18, 19, 20, 21, 22, 23]</p> <p>Birth: 01 Nov 1822; Kentucky^[12, 13]</p> <p>Death: 07 Aug 1887; Marion Township, Boone Co., Indiana</p> <p>Burial: 09 Aug 1887 in Mud Creek (Salem) Cemetery, Lebanon, Boone Co., Indiana^[14]</p> <p>Marriage: 01 Jul 1851; Boone County, IN^[15, 16]</p> <p>Spouse: Elizabeth Margaret McAnulty</p>
4 F	<p>Name: Isabel M. Wiley</p> <p>Birth: 05 Jun 1826 in Kentucky</p> <p>Death: 05 Mar 1844 in Decatur Co., Indiana^[24]</p>
5 F	<p>Name: Nancy E. Wiley</p> <p>Birth: 15 Apr 1827 in Decatur Co., Indiana</p> <p>Death: 22 Feb 1828 in Decatur Co., Indiana^[25, 26]</p>
6 M	<p>Name: William Corydon Wiley</p> <p>Birth: 1829 in Decatur, Indiana, USA</p> <p>Death: 28 Aug 1889 in Cook, Illinois, USA; Cook County has no record of his death</p> <p>Marriage: 30 Mar 1853 in Boone, Indiana, USA^[27, 28]</p> <p>Spouse: Cinatter Jane Potter</p>

Notes

Robert Wiley

Will of Robert Wiley

Decatur Co., Indiana
Will Book A, p. 177-179

Know all men by these presents that I, Robert Wiley, do make and ordain this my last will and testament in

Family Group Sheet for Robert Wiley

Notes (con't)

the manner and form following, to wit:

First, I bequeath my soul to God who gave it and my body to be buried in a Christian like manner. It is my will that the place on which we now reside be sold as soon as it may be sold at a fair price and the proceeds to be applied as far as may be necessary to the payment of my just and lawful debts and the balance to be divided as the rest of my estate.

I give and bequeath my land in Boone County (Indiana) to my sons Samuel W. and William C. I will also that my son John R. shall have purchased for him out of the proceeds of my estate the amount in quantity and quality of the land with Samuel W. and William C. and if after the purchase of the land for John R. as afore said, then should there be any part of my estate left, the balance or remainder to be equally divided between my three sons. But if after the payment of my debts there should no be sufficient to purchase an equal quantity and quality of land for said John R, then Samuel W. and William C. to refund so as to make John R. even or equal to them.

I will also that all my personal property be sold excepting one hundred dollars, thereof to be divided between my wife and three sons as above. It is to be understood that if the land above designated to be sold will not sell for a fair price then and in that case it is to remain in my wife's and my son's (John R.) hands until it will sell for a fair price. My wife not executing her third until said sale is effected, but only her hundred dollars. It is my will that my executor erect or cause to be erected a respectable tombstone of the graves of my three children now buried. I also will that Samuel W. have a certain gray horse and that William C. have a certain bay mare, both being four years old this ensuing spring and not to be taken into account in the fore going provisions. And I have appointed and do hereby appoint John R. Wiley and David Montague, executors of this my last will and testament, hereby revoking all other will or wills by me made.

In testimony whereof I have here unto subscribed my name and affixed my seal this twenty-third day of February, 1844.

Robert Wiley
In the presence of David Montague
Wm.H. Thomson
The State of Indiana
Decatur County

Be it remembered that on this day to wit the third day of October in the year 1844, personally appeared before me the undersigned clerk of the Decatur Probate Court, David Montague and William H. Thomson, the subscribing witnesses to the foregoing instrument purporting to be the last will and testament of Robert Wiley, late of said county deceased who being by me duly sworn deposed and saith that they were present and saw the testator, Robert Wiley, publish and declare the foregoing instrument to be his last will and testament, that they subscribed their names as witnesses here to in presence of said testator and at his request and at the time of the execution thereof they believed the said Robert Wiley was of sound mind and of disposing memory and further saith not.

Given under my hand and seal this day and year above written.

Henry H. Talbot
Recorded Oct. 4, 1844
Henry H. Talbot, clerk

Will of Robert Wiley
Decatur Co., Indiana
Will Book A, p. 177-179

Family Group Sheet for Robert Wiley

Notes (con't)

Know all men by these presents that I, Robert Wiley, do make and ordain this my last will and testament in the manner and form following, to wit:

First, I bequeath my soul to God who gave it and my body to be buried in a Christian like manner. It is my will that the place on which we now reside be sold as soon as it may be sold at a fair price and the proceeds to be applied as far as may be necessary to the payment of my just and lawful debts and the balance to be divided as the rest of my estate.

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Given under my hand and seal this day and year above written.

Henry H. Talbot
Recorded Oct. 4, 1844
Henry H. Talbot, clerk

John Robert Wiley

1860 census indicates that children William, John R Jr., Ephraim and Mary (Amanda?) attended school

Family Group Sheet for Robert Wiley

Notes (con't)

during the previous year.

1870 census indicates that all family members can read and write.

The following Biographical sketch was copied from the book "HISTORY AND BIOGRAPHY COUNTIES OF WHITE AND PULASKI, INDIANA. Historical and Biographical. Illustrated. Chicago; F.A. Battey & Co., Publishers. 1883. page 701, Harrison Township, Pulaski County, Indiana.

"JOHN R. WILEY (deceased) was born in Nicholas County, Kentucky, November 2, 1818; was reared to farming, and also learned the carpenter's trade. He was married, December 19, 1844, to MISS MARTHA E. MONTGOMERY, a native of Bourbon County, Kentucky, born in August, 1822, and the daughter of JOHN and CLARISSA (McKINNEY) MONTGOMERY, both natives of Kentucky, and of Irish and Scotch descent. By this union MR. WILEY became the father of four sons who reached maturity - WILLIAM H., JOHN R., EPHRAIM (deceased) and HARVEY A., and one son and one daughter who died in infancy. MR. WILEY came to this county November 2, 1848, entered eighty acres wild land, and bought 100 acres adjoining, where he found a small improvement. Here he reared his family, and acquired a good home of 220 acres. He was a firm Republican; he served as Justice of the Peace three terms, and also as Supervisor of Roads and School Director. He was for many years a member of the Presbyterian Church, and died April 28, 1877.

His parents, ROBERT and HESTER (HOPKINS) WILEY, were both natives of Kentucky, of Irish and Scotch descent, and came to Decatur County, Indiana, in 1824. The homestead in this township is now in charge of the youngest son, HARVEY A., who was married at the age of twenty-three, to MISS ANNA L. CAMPBELL, of Boone County, Kentucky, born January 10, 1858, and daughter of MILTON and NANCY (MINCE) CAMPBELL, also natives of Kentucky. To this union there have been born three children - EARL (deceased), JESSIE B., and an infant (deceased).

WILLIAM H. WILEY enlisted in January, 1862, in Company B, Eighty-seventh Indiana Volunteer Infantry, and served until the close of the war. He was married, April 9, 1867, to MARY EDMUNDSON, of Westville, Indiana, who bore him two children, the eldest - FRANK - still living, and making his home with his grandmother WILEY on the old homestead. JOHN R. WILEY was married at the age of twenty-six years to MARGARET I. SMITH, of Audrain. EPHRAIM WILEY was married at the age of twenty-two, to MARY WEST, of Chicago, became the father of four children, and died in February, 1881."

--- --- Info provided by Michael DeLorenzo, 2004

OBITUARIES OF John Robert Wiley

FULTON COUNTY, INDIANA, Newspaper Excerpts, 1877

DIED. -JOHN R. WILEY, an old citizen of Pulaski county, died on Saturday night, April 28, after an illness of but a few days. Mr. W. had been a member of the I.O.O.F. at this place for many years, and was buried in due and appropriate ceremonies by the Order.

ROCHESTER UNION SPY, Friday, May 4, 1877

KEWANNA

Mr. JOHN R. WILEY, living 3-1/2 miles west of this place, died suddenly on Saturday last, with pneumonia, having been sick but a few days. His funeral obsequies were conducted by the I.O.O.F.'s to-day, at 10-1/2, at the Presbyterian church in the eastern part of Wayne township, where there is a cemetery. Rev. D. C. ARNOLD preached the funeral discourse. Mr. Wiley was one of the oldest members of the order here... He leaves a companion and four grown up sons... He was one among the oldest inhabitants of Harrison township, Pulaski county, Indiana, and was respected for his friendly qualities and an obliging kind neighbor.

Will of John R. Wiley

Family Group Sheet for Robert Wiley

Notes (con't)**Pulaski Co., IN****Microfilm Roll 104**

(Note -- John R. Wiley died on April 28, 1877)

Pulaski County Indiana, April 28, 1877.

By this last will and testament I hereby empower my beloved wife to collect my life insurance policy in the Odd Fellows Mutual Aid Association and out of the money so drawn to pay to Phillip and Lister the amount of mortgage on the east sixty (60) acres supposed to be about six hundred dollars, and to the sinking fund the amount of mortgage on the west (80) acres, supposed to be about 400 dollars, and \$500 to Beneville Guise on mortgages on the south eighty (80) acres, and 100 to Joseph Slick on note, and one hundred to the Bank at Winamac on note, and after all my debts are paid the remainder of my property both real and personal to be left to her for her sole use and benefit as long as she may live. I also advise that my sons J.R. and H.A. Wiley should stay on and farm the place and give her the rents and profits.

John R. Wiley

X -- his mark (interesting that he made his mark -- must not have known how to write although the census said he could. Maybe he was too sick to sign his name.)

John Fox, J.Zellars, witnesses

State of Indiana, Pulaski County, IN

Be it remembered that on the first day of May 1877 John Fox witness to the within and forgoing last will and testament of John R. Wiley late of said county deceased personally appeared before the clerk of the circuit court of said county in the state of Indiana and being duly sworn by the clerk of said court upon his oath declared and testified as follows:

That is to say that on the 28th day of April 1877 he saw the said John R. Wiley sign his name to said instrument in writing as and for his last will and testament, and that this deponent at the same time heard the said John R. Wiley declare the said instrument in writing to be his last will and testament and that the said instrument in writing was at the same time and at the request of the said John R. Wiley and with his consent attached and subscribed by the said J. Zillar and John Fox, in the presence of the said testator and in the presence of each other, as subscribing witnesses thereto, and that the said John R. Wiley was at the time of the signing and subscribing of the said instrument in writing as aforesaid of full age that is more than twenty-one years of age, and of sound and disposing mind and memory and not under any coercion or restraint as the said deponent verily believes and further deponent says not.

John Fox

Sworn to and subscribed by the said John Fox before me P.J. Falvry clerk of said court at Winamac the 1st day of May 1877. In attestation whereof I have hereunto subscribed my name and affixed the seal of said court.

P.J. Falvry, clerk

(Filed May 1st 1877)

Recorded July 20th 1877 in Will Record B, page 190.

Martha E. Wiley, executrix of the estate of John R. Wiley, deceased, represents to the court that it would of advantage to said estate to sell all the personal personal property of said decedent not taken by the _____ at estate sale and she asks an order to sell the same at private sale.

Martha E. Wiley

Subscribed and sworn to this 14th day of June 1877

Wm Spangler

Notary Public

Family Group Sheet for Robert Wiley

Notes (con't)

Account of the Sale of the Personal Property

of John R. Wiley, deceased sold by (no name filled in)
at the late residence of the decedent at Public Sale on the 7th day of November, 1877.

Names of Articles	Amt. Sold for	To Whom Sold	Cash or Surety
Box of tools _____	.55	Thomas Barker	Cash
Box of old _____	.15	John Fox	Cash
Cutting Box	1.40	Robt Wiley (brother)	
Hackley Plow	.50	Robert Wiley (brother)	
Clipper (?)	6.00	Harvey Wiley (son)	Cash
Harrow	4.00	Robert Wiley (brother)	
Roller	1.75	I. Fullenbaugh	
Fanning Mill	.25	H. Henderson	Cash
Hay knife	.75	Robert Wiley (brother)	
Sleigh	7.00	M.E. Wiley (widow)	
Reaper and Mower	7.00	Harvey Wiley (son)	
Small chain	.50	Harvey Wiley (son)	
Log chain	1.05	Robert Wiley (son)	
Shovel	.35	Robert Wiley (son)	
Double Shovel (?)	.75	M.J. Barnett	
Wheel Barrow	.70	M.E. Wiley (widow)	
Cane chairs	2.00	M.E. Wiley (widow)	
Bedstead	.50	M.E. Wiley (widow)	
Harness	2.00	Robert Wiley (brother)	
Hoe (?)	.10	John Gnipp	

Document includes copies of Executor's bonds and oath for Martha E. Wiley and William Spangler

State of Indiana, Pulaski County

The State of Indiana to the sheriff of said county, Greeting:

You are hereby commanded to summon William C. Wiley (brother of John R. Wiley) to appear before the judge of the Pulaski Circuit Court on the 7th day of the present term of said court, now in session at the Court House in Winamaca to testify in an action wherein Samuel W. Wiley, Plaintiff, and John R. Wiley estate, defendant, on behalf of the Plaintiff and return this summons.

Witness, Clerk of said Court, this 14th day of January, 1878

_____ Kershaw, Clerk

State of Indiana

Pulaski County

In _____ Court, Jan. term, 1878

Samuel W. Wiley (brother of John R. Wiley) Reply

vs.

Martha E. Wiley, executrix

of John R. Wiley estate

Family Group Sheet for Robert Wiley

Notes (con't)

Par. 1 The plaintiff for reply to the second and third paragraphs of defendant's answer says that he denies each and every material allegation in said defendant third paragraphs contained.

Par 2 And for a second and further reply to the third paragraph of defendant's answer says that within twenty years ____ before the commencement of this suit to wit; on the first day of October 1857, the said defendant John R. Wiley then in full life paid on the said note and then and there intended to be applied on the note sued on in this case the sum of ten dollars.

That said payment was made with special reference to the note in controversy in this suit and that the said John R. Wiley intended the same to be applied as a part-payment of said note that said payment was made through the agency of William C. Wiley (brother of John R. and Samuel W.) who was specially authorized by said John R. Wiley to apply the said ten dollars on the said note and cause the same to be _____ thron.

And for a third and further reply to the said third paragraph of said defendant answer says that within twenty years next before the commencement of this suit to wit on the 28th day of February 1858 the said John R. Wiley there in full life paid on the said note income the sum of two dollars and fifty cents then and there intending that the said price of the said sum should be applied as a part payment on the very note now in controversy in this suit that said payment was made through the agency of William C. Wiley (brother of John R. and Samuel W. Wiley) who was then and there authorized by said John R. Wiley to deliver said sum to said Samuel W. Wiley and a payment on the sum now in controversy in this suit and cause the same to be endorsed as a part payment on said note.

Wherefore the plaintiff says that defendant _____ be heard in his plea of the statute of limitations.

_____ & Agnew
Plaintiff's Attys.

Polk
vs
Wiley Estate

Defendant for answer to the plaintiff complaint denies all and _____ each and every allegations contained.

And for a _____ fourth answer to the plaintiff's complaint says that the claim of the _____ Pain (?) _____.

W. Spangler
Atty for Deft.

Pulaski Circuit Court
March term 1878

Polk
vs
Martha Wiley
Executrix of the estate
of John R. Wiley

The defendant asks the court to compel the plaintiff to answer fully and without _____ the following interrogatories.

Family Group Sheet for Robert Wiley

Notes (con't)

1. Is this not the note in suit in controversy fully paid and satisfied.

Ans. -- No

2. Have you given credit on the note in suit for all the payments made thereon?

Ans -- No.

3. State how much has been paid on this note over and above the credits endorsed on the note.

Ans -- The whole amount paid creditor (?) _____ is \$37. The last payment was made about six _____.

4. Did you tell the executrix of the estate of John R. Wiley shortly after the death of Wiley that there were payments made on the note and credited on the note.

Ans. -- I do not remember

5. Did you not tell Mrs. Wiley that the note was all paid except ten dollars and not that all there is due on the note.

Ans. -- No

Malinda Polk

Subscribed and sworn before me this 14th day of April 1878

_____ Clerk

Pulaski Circuit Court

July term 1878

Eli Strickle

vs

John R. Wiley Est.

Said defendant for answer to the plaintiff's complaint denies each and every allegation contained.

W. Spangler

Atty for defd.

Samuel W. Wiley (brother of John R. Wiley)

vs

John R. Wiley est.

Circuit court

July term 1878

Said defendant for answer to the plaintiff's complaint denies all ---- each and every allegation therein contained.

And defendant for petitioner answer to such plaintiff's complaint says that the plaintiff's claim has been fully paid (?).

And for further _____ the plaintiff's complaint defendant says the cause (?) of action (?) mentioned in the plaintiff's complaint did not _____ twenty years before commencing his action.

Wherefore defendant demands judgment for her costs herein.

Family Group Sheet for Robert Wiley

Notes (con't)

W Spangler
Atty. for defd.

State of Indiana
Pulaski County

Pulaski Circuit Court
July Term 1879

The undersigned administratrix of the Estate of John R. Wiley hereby submits this as her current report and resignation

I am chargeable as per inventory on file with	\$612.90
I claim the following credits:	
1 Paid Hilland for coffin	\$26.00
2. Paid Dr. Bill last sickness	8.00
3. Paid Wm White for cutting wheat	24.75
4. Phillips & Lister funeral expenses	27.08
5. Paid note	10.70
6. Paid tax	19.10
7. Paid tax	86.87
8. Tax	32.00
9. Interest on school loan	64.00
10. Interest on school loan	32.00
11. Tax	8.21
12. Tax	25.93
13. Tax	3.39
14. Auctioneer	<u>3.00</u>
	371.03
Brought Over	612.90
Property taken by me as widow inventory (?)	491.65
Deficiency between sale (?)	<u>23.15</u>
	885.83
Bal due to widow to bal. (?)	<u>272.93</u>
	\$885.93\$885.93

She further shows to the court that she can not further attend to the duties of settling said estate and hereby tenures her resignation as such and requests to the court to appoint Wm. Spangler admin. de bonis non of said estate.

M.E. Wiley
Subscribed and sworn to this 10th day of July 1879.

Wm. Spangler
Notary Public

State of Indiana, Pulaski County, ss:

Wm. Spangler being duly sworn before the Clerk of the Circuit court of the county aforesaid, upon his oath swears that John R. Wiley departed this life in said county testate, as he believes, on the _____ day of _____ 18____; that said John R. Wiley left a personal estate to be administered of the probably value as he is informed and

Family Group Sheet for Robert Wiley

Notes (con't)

believes of nothing dollars; that by said will Martha E. Wiley was appointed executrix and that she has since resigned and requests my appointment in her stead.

Sighed W. Spangler

Sworn to and subscribed before me this 23rd day of July 1879

C. Wickersham, clrk

Letter of administration

I, Charles W. Wickersham Clerk of the Circuit Court, for the county of Pulaski, in the State of Indiana, do hereby certify that administration with will annexed of the estate of John R. Wiley, late of Pulaski County, deceased, who died testate is granted to William Spangler and the said William Spangler having qualified and given bond as such administrator, is duly authorized to take upon himself the administration of such estate, according to law.

Witness my hand and the seal of said court this 23rd day of January, 1789

W. Wickersham

ccc of Pulaski county

No. 122

In the Matter of the

Estate of John R. Wiley, deceased

By

Wm. Spangler, Admin.

Citation to Administrator

Filed March 30, 1885

John H. Kelly, Clerk

Came to hand this 30th day of March 1885

Return this writ served by reading to William Spangler this 30th day of March 1885

John Kruger, Sheriff

State of Indiana

Pulaski County

The State of Indiana, **to William Spangler**, administrator de bonis non with the will annexed of John R. Wiley, deceased.

As Joseph B. Agnew, Sr., Peter S. Troutman and Malinda J. Polk have this day filed in the office of the Clerk of the Pulaski Circuit Court a petition to remove you from your trust for the following reasons, namely:

1st --For assisting and aiding one Martha E. Wiley to purchase and obtain title to real estate belonging to said estate contrary to law;

2nd -- For failing and neglecting to sell and convert the real estate belonging to said decedent into money for the payment of debts against said estate.

3rd -- Because you have failed to report and account to said Court as required by law.

4th -- Because the letters heretofore issued to you were improvidently issued, when letters of administration duly issued were in full force and effect. You are therefore cited to appear before such court on the first day of the next term thereof to be held at the Courthouse in Winamac in said County and State on the 13th day of April, 1885, and defend if you choose. **(Note -- John R. Wiley died Apr. 18, 1877).**

In testimony whereof, I have hereunto set my hand and affixed the seal of said court at Winamac, this 30th day of March, 1885

John H. Kelly, clerk

Family Group Sheet for Robert Wiley

Notes (con't)

State of Indiana
Pulaski County

In Circuit Court, April Term 1885

In Re the Estate of John R. Wiley, deceased
Joseph B. Agnew Sr., Peter S. Troutman and Malinda Polk.

Respectfully petition this honorable court and represents that they are creditors of the estate of said decedent which is pending for settlement in this court. That said Joseph B. Agnew Sr. holds a lien against said estate which has been filed and allowed by the administrator of said estate and that there is due and unpaid thereon the sum of three hundred and ninety-six dollars (\$396.00) which is the valid claim against said estate. That said Peter S. Troutman holds a claim against said estate which has been filed and allowed and is a valid claim against said estate and that there is owed and unpaid thereon the sum of sixty-four dollars (\$64.00). That said Malinda J. Polk holds a claim against said estate which has been filed and allowed and which is a valid claim against said estate and that there is due thereon one hundred and sixty -seven dollars (\$167.00).

That as such creditors they are interested in the settlement of said estate and that there are a larger number of claims filed and allowed against said estate in favor of a great many different persons amounting in all to the sum of about two thousand dollars (\$2,000) besides the mortgage indebtedness against said estate which has never been filed and which is non- specifically mentioned and ____ hereinafter. And your petitioners in their own behalf and in behalf of all the other creditors of the said estate, petitioning would respectfully show to the court that the widow of said decedent was on the 28th day of May 1877 appointed administratrix with the will _____ of said estate and acted and continued to act as such administratrix until January 1879 at which time she presented to the judge of this court her resignation as such administratrix with a report of her doings in the matter of said estate. That no notice was given of the filing of such report at any time by any person or officer as provided by law. That said report was not acted upon by said court, but by endorsement on the back of said report the judge of said court ordered said report to be filed for future examination. That said report was not filed and no action was ever taken thereon, and that no order was ever made accepting the resignation of said administratrix. That afterward to wit on the 23rd day of January 1879, William Spangler appeared to the clerk in vacation for letters of administration de bonis non and the will _____ of said estate and filed his bond in the sum of \$100 and letters were issued to him accordingly by the clerk of this court and he therefore assumed the duties of said ____ and has ever since assumed and now is assuming to act as such administrator. That the letters of administration issued to said Spangler in vacation have never been confirmed by this court. That the personal property of said decedent amounted to only six hundred and twelve dollars (\$612).

That the debts of said decenent secured and unsecured including the five hundred dollars allowed by law to the widow as shown by the record amount to about four thousand five hundred dollars.

That said decedent died seized (?) of the following described real estate in Pulaski County, Indiana. To withe west half of the southeast quarter of section twenty five town thirty, range one west worth \$2400.

The southeast quarter of the southeast quarter of section twenty five, town thirty range one west worth \$1200

The west half south east quarter of the south east quarter of section twenty five, town thirty, range one west worth \$500

The south half south east quarter of section thirty in township thirty south range one west worth \$2500

And southwest quarter of the south east quarter of the southeast quarter section ten (10) township twenty nine, range one \$100

Family Group Sheet for Robert Wiley

Notes (con't)

_____ of the total value of

\$6600

Besides an interest in other lands which said Spangler as such administrator has sold for four hundred and fifty eight dollars (\$458.00). That said real estate was at the death of said decedent encumbered by mortgages as follows. The west half of the southeast quarter of section twenty five, township thirty south range one with a school fund mortgage of four hundred dollars (\$400). The southeast quarter of the southeast quarter and the west half of the southeast quarter of the southeast quarter of section twenty four, township thirty north range one west. To Phillips and Luiten \$1126.00. And the south half of the southeast quarter of section thirty six township thirty south range one (1) west to Beneville (?) Guise for \$450.00. That said last two mortgages only covered the undivided two-thirds (2/3) of said real estate for the reason that said Martha E. Wiley being the wife of said decedent had not joined in the execution of said mortgages. That said real estate and personal estate of said decedent was and is sufficient to pay all the indebtedness after deducting the one-third interest in the real estate of said widow. That said decedent died testate and by the lines of his will devised all said real estate to said Martha E. Wiley for her lifetime after his debts were paid and further provided that said Martha E. Wiley should collect a policy of insurance on his life and pay with the proceeds thereof the said mortgages on said land. That said Martha E. Wiley accepted and took under terms of said will by her application and appointment as administratrix with the will _____ of said decedent. And they show that said Martha E. Wiley while acting as such administratrix collected said money on said insurance policy and in violation of her trust as aforesaid purchase of the said mortgages from (?) said Phillips and Lester and from said Beneville Guise and had them assigned in Black (?) to her, while she was so acting as such administratrix. That said W. Spangler acting as the attorney and adviser of said M.E. Wiley in the purchase and assignment to her of said mortgages. That it was agreed by and between said M.E. Wiley and W. Spangler that she should resign and said Spangler should be appointed as administrator as aforesaid in her stead. And her attempted resignation and his appointment as aforesaid was in pursuance (?) of said agreement.

That after the appointment of said Wm. Spangler was informed (?) to wit on the 15th day of September 1880. The said Spangler acting as the attorney for said Martha E. Wiley filed a complaint in said court to foreclose said mortgages and made the heirs at law of said Wiley dependents and also _____ himself as the administrator de bonis non of said estate and on the trial of the cause upon default of the heirs of said Wiley and in the absence and without the knowledge of the creditors of said estate without having been summoned appeared and filed his account as such administrator to the foreclosure of said mortgages. That said W. Spangler as said attorney acting in collusion with said Martha E. Wiley to defraud the creditors of said John R. Wiley took one judgment of foreclosure against the undivided two thirds of all the real estate of said decedent included in both said mortgages. To wit the southeast quarter of the southeast quarter of section twenty-five, the west half of the southeast quarter of the southeast quarter of section twenty five (25) and the south half of the southeast quarter of section thirty six (36), all in said town thirty range one west and caused an order of sale to issue thereon. And on the twenty fifth day of December 1880 the said Spangler as the attorney for the said Martha E. Wiley purchased the undivided two-thirds of said real estate in one body for \$1800.00 thought it was worth in cash at said time at least four thousand dollars. That the said south half southeast quarter of section thirty six (36) as aforesaid was at said time worth at least three thousand dollars and the two-thirds of the sum was worth two thousand dollars and the amount of the mortgages against said tract was not more (?) than six hundred dollars. Yet it was sold jointly with said other real estate for a sum greatly below its value, and that said Spangler received for his services as the attorney of said Martha E. Wiley in her said _____ such as _____ the sum of \$150 and they say by review of the facts stated above the W. Spangler was guilty of gross fraud toward the creditors of the estate and by review of said facts has been guilty of wasting the assets of said estate. And that by reason of his relation to said Martha E. Wiley is her attorney in her advice relative to said estate he is incapacitated from discharging the duties of said trust for the best interests of said estate. And they further say that though said Spangler has been acting as such administrator for a period of six years he has never filed nor made any account or report in the matter of said estate though he has during more than five years of said time been chargeable with a large amount of money belonging to said estate. That though said Martha E. Wiley and said William Spangler both knew long before the time at which said Martha E. Wiley attempted to resign as aforesaid that the personal property was not sufficient to pay the debts of said decedent yet neither said Martha E. Wiley nor said William Spangler ever made any

Family Group Sheet for Robert Wiley

Notes (con't)

application or attempt to sell said above described real estate or any part of it but allowed the interest to accumulate on the debts against said estate until some of the claims against said estate have accrued doubled the principal sums by review of the accumulation of interest. That at least one thousand dollars of the amount of the indebtedness against said estate is interest accumulated since the letters of administration issued on said estate. That since the appointment of said Martha E. Wiley as such administratrix she intermarried (?) with one Richard Burton whose first name as to your petitioners unknown and her married name is now Martha E. Burton and she a married woman and under the disabilities of curvature (?).

Wherefore and by reason of the above stated facts the petitioners aforesaid pray that the letter of administration with the will concerned heretofore issued to said William Spangler be annuled, revoked and set aside and that they and each of them be required to fully account to said estate and for all other proper relief in the premises.

Agnew Borden
Attys for Petitioners

State of Indiana, Pulaski County

Joseph B. Agnew Sr., being first duly sworn upon his oath swears that he has heard the foregoing petition read and that the facts therein stated are true as he ___ believes.

Joseph B. Agnew
Subscribed and sworn to before me this 30th day of March 1885
B. Bender, notary public

William Spangler administrator B.N. of the estate of John R. Wiley, deceased, submits the following current report and resignation

I am chargeable as follows	
Rec'd from former adminx	\$18.65
Rec'd from sale of _____ to Smith (?)	<u>305.48</u>
	\$324.13

I claim following credits	
1. Note of J.R. Wiley	\$18.65
2. Paid on judgment	37.20
3. Paid Foley creditor	64.00
4. Paid Agnew debt	11.38
5. Paid auditor	32.00
6. Paid McKinney on act.	2.00
7. Paid auditor	36.00
8. Paid Ross (?) on judgment	50.00
9. My claim for services to former admin.	25.00

	\$276.23
Bal. in my hands	\$ 47.90

Which he brings into court and asks an _____ to pay the sum into court.

W. Spangler

Estate of John R. Wiley
To Martha E. Wiley

Family Group Sheet for Robert Wiley

Notes (con't)

To money paid on claims against said estate while she was acting as administratrix of said estate and for which she never received any credit.

Paid note to A.E. Bundy in July 1877	\$103.00
Interest 8 years and 7 months	51.50
Paid note to Henry Head July 1877	100.00
Interest on same 8 years and 6 months	51.00
Paid Ross (?) E. Wiley Aug 6, 1877	48.00
Interest 8 years and 6 months	23.00
Paid death tax	6.00
Paid Dr. Bill last sickness	6.00
To Thompson Bros.	12.00
Interest on same	5.76
	\$400.26

Martha E. Wiley on her oath says that the above claim is justly due and _____ against the sum to her knowledge.

Martha E. Wiley

Subscribed and sworn this 18th day of July 1886.
Christian _____ J.P.

State of Indiana
County of Pulaski
In circuit court January term 1887

In the matter of the estate of John R. Wiley dec.
Comes now Jacob Shoup, administrator of said estate and now moves the court to _____ the _____ of the former clerk Chas. W. Wickenshaw as taxed as pages 76 and 714 of probate in book C so that the _____ - may confirm _____. That said fees should be reduced from \$113.90 as charged on said fee book to \$71.30 which latter amount is all and more the said clerk is allowed by law for the services therein charged for and he asks that such fees be taxed accordingly.

Agnew B__
Atty for admin.

State of Indiana
Pulaski County
In circuit court April term 1887

Joseph Shoup, admin.
D.B.N. of the estate of
John R. Wiley deceased

Jacob Shoup administrator de bonis non of the estate of John R. Wiley deceased for a final report of his doings as such administrator shows to the court that he stands charged with cash paid into clerk's office
May 13, 1886 by William Spangler \$47.90
To cash from sale of real estate \$3713.34 \$3761.24
and asks credit with cash--
As per voucher No. 1 M.E. Wiley \$3713.34
As per voucher No. 2 Admin for service 50.00
As per voucher No. 3 A&B 125.00

Family Group Sheet for Robert Wiley

Notes (con't)

As per voucher No. 4 J.H. Kelly clerk	117.00	
As per voucher No. 5 J.H. Kelly clerk	20.05	
As per voucher No. 6 J.H. Kelly clerk	31.75	
As per voucher No. 7 & 8 -- MH _____ P. Fee.	4.10	\$3761.24

And he says that he has sold all the personal and real property which has come into his hands and has applied the proceeds thereof to the payment of the costs and expenses of administration and to the payment of the debts so far as possible. That the costs and expenses of administration are all paid. Thus he has obtained an order of this court to settle said estate as insolvent and he now asks that this be accepted and approved as his final report in the matter and that he be fully and finally discharged from all further duty and liability herein.

Jacob Shoup
 Subscribed and sworn to before me this 20th day of April 1887

State of Indiana
 Pulaski County
 In Circuit court April term 1887

In the matter of the estate of
 John R. Wiley deceased
 Jacob Shoup, Admin D.B.N

Jacob Shoup administrator de bonis non of the estate of John R. Wiley deceased respectfully shows to the court that there has been general claims filed and allowed against said estate in the amount of \$1154.69 as follows to wit:

A note in favor of Singer Mfg. Co. filed July 3rd 1877 on which there was due	\$68.75	
A note in favor of A. Phillips filed July 3rd 1877 on which there was there due	11.36	
Note in favor of S.W. Wiley filed August 23rd 1877 on which there was then due	56.00	
(Note: this was one of the brothers of John R. Wiley)		
Note in favor of James A. Hurst filed August 29 1877 on which there was then due	69.17	
Note in favor of J.H. McKinney filed Sept. 17 1877 on when there was then due	81.17	
Note in favor of J.B. Agnew Sr. filed Sept. 29 1877 on which there was then due	245.83	
Note in favor of J.R. Wiley filed September 29 1877 on which there was then due	100.00	
(Note: this was a son of John R. Wiley)		
Account in favor of S. Vry and filed Oct. 3rd 1877 in which there was then due	15.37	
Account in favor of H.A. Wiley filed Oct 6th 1877 on which there was then due	27.00	
(Note: this was a son of John R. Wiley)		
Account in favor of Washburn & Pathow filed Oct 9th 1877 on which there was then due	7.27	
Note in favor of John London filed October 26th 1877 on which there was then due	46.00	
An account in favor of Peter S. Troutman filed November 28th 1877		
on which there was then due	40.51	
Note in favor of M. Polk filed November 3rd 1877 on which there was then due	96.00	
Note in favor of H.B. ___ filed Feby 2nd 1878 on which there was then due	15.42	
Note on account in favor of J. Terrenbaugh filed Feby 12th 1878 on which there		
Was then due	6.00	
Account in favor of W. S. White filed March 9th 1878 on which there was then due	8.75	
Note in favor of Eden Lodge I.O.O.F. filed Apr. 2nd 1878 on which there was then due	42.47	
Account in favor of J.H. Cannons filed April 6th 1878 on which there was then due	6.40	
Note in favor of H.M. Wheeler filed April 26th 1878 on which there was then due	12.25	
Account for trust funds filed March 31st 1880 in favor of Art Grant on which there was		
Then due	70.00	
Account in favor of J. Keiser filed Mar. 25th 1878 on which there was then due	21.25	
Account in favor of H. Kittenger filed June 26th 1885 on which there was then due	9.50	

Family Group Sheet for Robert Wiley

Notes (con't)

That these claims are all wholly unsatisfied and that there is now due thereon about two thousand dollars. That there was allowed against said estate by this court as a first and preferred claim in favor of Martha E. Wiley for the particulars of such claims see Order Book No. _____ on pages ____ that the costs and expenses of administration amount to three hundred and fifty dollars.

And administrator says he has received no personal property whatever. That there came into his hands from William Spangler admin. of said estate \$47.90.

That he has sold all the real estate belonging to said estate and received therefor \$3713.34. That the assets of said estate are all exhausted and that the debts and expenses of administration exceed the assets over two thousand dollars.

Therefore he asks that he be allowed to settle this estate as insolvent.

Subscribed and sworn to before me this ____ day of March 1887.

Milt Hiland
Dealer in
Furniture & Undertaker

Kewanna, Fulton County, Indiana, July 30th 1877
Received of Martha E. Wiley seventy six dollars in full for coffin for John R. Wiley
Milt Hiland

A note on William Spangler:

Judge William Spangler was educated in the public schools of Ohio and received his collegiate training at Westerville College. He studied law in the office of Judge Finnefrock at Fremont, Ohio, with ex-President Rutherford B. Hayes as a fellow student. Then he practiced law in Missouri, at Plymouth and Monterey, and moved to Winamac in 1868. He was the first judge of this 44th judicial circuit in Indiana, having been appointed in March, 1883, by Governor Albert G. Porter. and served until November 12, 1884. He practiced law in Winamac until his death in that community, January 18, 1908. His son John, an only child, is a lawyer there now. William Spangler was born in Union County, Pennsylvania, April 16, 1831, and was married in '65 to Mary li. Phipps.

Source: http://genwiz.genealogie.net/lake_maxinkuckee/hotel_alleghey/spangler_family.htm
The following Biographical sketch was copied from the book "HISTORY AND BIOGRAPHY COUNTIES OF WHITE AND PULASKI, INDIANA. Historical and Biographical. Illustrated. Chicago; F.A. Battey & Co., Publishers. 1883.
page 701, Harrison Township, Pulaski County, Indiana.

"JOHN R. WILEY (deceased) was born in Nicholas County, Kentucky, November 2, 1818; was reared to farming, and also learned the carpenter's trade. He was married, December 19, 1844, to MISS MARTHA E. MONTGOMERY, a native of Bourbon County, Kentucky, born in August, 1822, and the daughter of JOHN and CLARISSA (McKINNEY) MONTGOMERY, both natives of Kentucky, and of Irish and Scotch descent. By this union MR. WILEY became the father of four sons who reached maturity - WILLIAM H., JOHN R., EPHRAIM (deceased) and HARVEY A., and one son and one daughter who died in infancy. MR. WILEY came to this county November 2, 1848, entered eighty acres wild land, and bought 100 acres adjoining, where he found a small improvement. Here he reared his family, and acquired a good home of 220 acres. He was a firm Republican; he served as Justice of the Peace three terms, and also as Supervisor of Roads and School Director. He was for many years a member of the Presbyterian Church, and died April 28, 1877.

His parents, ROBERT and HESTER (HOPKINS) WILEY, were both natives of Kentucky, of Irish and

Family Group Sheet for Robert Wiley

Notes (con't)

Scotch descent, and came to Decatur County, Indiana, in 1824. The homestead in this township is now in charge of the youngest son, HARVEY A., who was married at the age of twenty-three, to MISS ANNA L. CAMPBELL, of Boone County, Kentucky, born January 10, 1858, and daughter of MILTON and NANCY (MINCE) CAMPBELL, also natives of Kentucky. To this union there have been born three children - EARL (deceased), JESSIE B., and an infant (deceased).

WILLIAM H. WILEY enlisted in January, 1862, in Company B, Eighty-seventh Indiana Volunteer Infantry, and served until the close of the war. He was married, April 9, 1867, to MARY EDMUNDSON, of Westville, Indiana, who bore him two children, the eldest - FRANK - still living, and making his home with his grandmother WILEY on the old homestead. JOHN R. WILEY was married at the age of twenty-six years to MARGARET I. SMITH, of Audrain. EPHRAIM WILEY was married at the age of twenty-two, to MARY WEST, of Chicago, became the father of four children, and died in February, 1881."

--- --- Info provided by Michael DeLorenzo, 2004

OBITUARIES OF John Robert Wiley

FULTON COUNTY, INDIANA, Newspaper Excerpts, 1877

DIED. -JOHN R. WILEY, an old citizen of Pulaski county, died on Saturday night, April 28, after an illness of but a few days. Mr. W. had been a member of the I.O.O.F. at this place for many years, and was buried in due and appropriate ceremonies by the Order.

ROCHESTER UNION SPY, Friday, May 4, 1877

KEWANNA

Mr. JOHN R. WILEY, living 3-1/2 miles west of this place, died suddenly on Saturday last, with pneumonia, having been sick but a few days. His funeral obsequies were conducted by the I.O.O.F.'s to-day, at 10-1/2, at the Presbyterian church in the eastern part of Wayne township, where there is a cemetery. Rev. D. C. ARNOLD preached the funeral discourse. Mr. Wiley was one of the oldest members of the order here... He leaves a companion and four grown up sons... He was one among the oldest inhabitants of Harrison township, Pulaski county, Indiana, and was respected for his friendly qualities and an obliging kind neighbor.

Eliza M. Wiley

Died at 19 years, 9 months.

Samuel W Wiley

According to the 1880 census, Samuel's father was born in Pennsylvania and his mother was born in Maryland.

Notes from The Lebanon IN Pioneer, Thurs. Aug. 11, 1887, page 1:

Samuel Wiley, an old and highly respected citizen of Marion township, died last Saturday and was buried at the Mud Creek Cemetery on Monday. He had been in poor health for a year past.

Will of Samuel W. Wiley

Boone Co. Probate Order Book #1, Sept. 1887 thru. Oct. 1887

Boone Circuit Court Sept. Term 1888

Estate of Samuel W. Wiley, Dec -- Petition to settle without administrator.

Be it remembered that on the 2nd day of June, 1888, that Elizabeth M. Wiley, widow of Samuel W. Wiley, deceased, filed in the office of the Clerk of the Boone Circuit Court her petition to effect that the entire estate of which the said Samuel W. Wiley died seized was worth less than \$500.00 and the said estate of the said Samuel W. Wiley having been inventoried and appraised by two competent appraisers and the same having been returned to the office of the clerk and filed therein and as also the affidavit of the widow that said inventory contained all the property of said Samuel W. Wiley owned by him at the time of his death and it appearing to the court from said inventory and appraisal that said property is worth less than \$500 and no objection having been filed thereto. It is thereupon ordered and adjudged by the court that the title

Family Group Sheet for Robert Wiley

Notes (con't)

to the entire estate of which the said Samuel W. Wiley died seized and described in the inventory be and the same is hereby rested in his widow Elizabeth M. Wiley force and discharged from claim of creditors except expense of funeral and all last sickness and that no letters of administration issue on this estate.

According to the 1880 census, Samuel's father was born in Pennsylvania and his mother was born in Maryland.

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Isabel M. Wiley

Died at the age of 16 years, 21 days.

Nancy E. Wiley

Died at 10 months, 7 days.

William Corydon Wiley

Obituary of William Corydon Wiley

The Democratic Journal

Winamac, Indiana

Sept. 7, 1889

"The remains of Mr. W. C. Wiley were brought here on Friday at one o'clock p.m. from LaGrange, Ill, for burial in the cemetery. The deceased formerly lived in this township and was about 60 years of age. The writer saw Mr. Wiley in Chicago on the Saturday before his death, when he seemed to be in his usual health. He died of heart disease."

Sources

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- 3 Nicholas County Kentucky Marriages 1800-1850, page 64.
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Family Group Sheet for Robert Wiley

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- 7 Ancestry.com, One World Tree (sm) (Provo, UT, USA: The Generations Network, Inc., n.d.), www.ancestry.com, Online publication - Ancestry.com. OneWorldTree [database on-line]. Provo, UT, USA: The Generations Network, Inc.
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- 16 Index to Marriage Record 1844-1920 Inclusive, Book C-2, page 231. W.P.A. Original Record Located: County Clerk's Office Lebanon Compiled by Indiana Works Projects Administration 1940.
- 17 Ancestry.com, 1870 United States Federal Census (Provo, UT, USA: Ancestry.com Operations Inc, 2003), www.ancestry.com, Ancestry.com. 1870 United States Federal Census. [database on-line] Provo, UT: MyFamily.com, Inc., 2003-. Indexed by Ancestry.com from microfilmed schedules of the 1870 U.S. Federal Decennial Census.1870 United States Federal Census. [database online] Provo, UT: MyFamily.com, Inc., 2003. Original data: Data imaged from National Archives and Records Administration. 1870 Federal Population Census. M593, 1,761 rolls; part of Minnesota T132, 13 rolls. Washington, D.C.: National Archives and Records Administration. Clinton, Boone, Indiana, post office Elizaville, roll 300, page 66, image 305.
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Family Group Sheet for Robert Wiley

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Prepared By:			
Preparer:	Barb Walker	Address:	12768 E. Harvard Circle
Phone:	303 752-2152		Aurora, CO 80014
Email:	Barbwalker1014@aol.com		USA